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# FEDERAL REGISTER

VOLUME 9      NUMBER 158

Washington, Wednesday, August 9, 1944

## Regulations

### TITLE 16—COMMERCIAL PRACTICES

#### Chapter I—Federal Trade Commission

[Docket No. 5063]

#### PART 3—DIGEST OF CEASE AND DESIST ORDERS

RESEARCH MFG. CORP., ET AL.

§ 3.6 (a) (10) *Advertising falsely or misleadingly—Comparative data or merits:*  
§ 3.6 (n) *Advertising falsely or misleadingly—Nature—Product:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:*  
§ 3.6 (y) *Advertising falsely or misleadingly—Safety:* § 3.71 (c) (5) *Neglecting, unfairly or deceptively, to make material disclosure—Qualities or properties.* In connection with offer, etc., in commerce, of respondents' "Fre-Zex" or any other similar product, representing directly or by implication that said product, (1) is a safe or dependable antifreeze preparation for use in the cooling systems of automobile engines; (2) is a superior type of antifreeze preparation; (3) will protect the cooling systems of automobile engines against corrosion, rust, or other deterioration; (4) will not cause rust, corrosion, or other damage to the cooling systems of automobile engines or damage to such engines or to radiators or hose connections or the exterior finish of automobiles; (5) will not evaporate in use or clog passages in the cooling systems of automobile engines; (6) will not injure, rust, or corrode aluminum, brass, copper, iron, or other metals, or injure the rubber parts of the cooling systems of automobile engines; or (7) is an antifreeze preparation for use in the cooling systems of automobile engines, without affirmatively disclosing in a clear and conspicuous manner in immediate connection with such representation, that said preparation will rust and corrode the cooling systems of automobile engines and may clog the passages in such systems; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) (Cease and desist order,

Research Manufacturing Corporation et al., Docket 5063, July 20, 1944)

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 20th day of July, A. D. 1944.

*In the Matter of Research Manufacturing Corporation, a Corporation, Harold S. Guy, Individually and as President of Research Manufacturing Corporation, and J. L. Seat, an Individual*

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answers of the respondents, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence and exceptions filed thereto, and brief in support of the complaint (no brief having been filed by the respondents and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

*It is ordered,* That the respondent Research Manufacturing Corporation, a corporation, and its officers, representatives, agents, and employees, and the individual respondents, Harold S. Guy and J. L. Seat, and their representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of their product designated "Fre-Zex" or any other product of substantially similar composition, whether sold under the same name or under any other name, in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing directly or by implication:

1. That said product is a safe or dependable antifreeze preparation for use in the cooling systems of automobile engines.

2. That said product is a superior type of antifreeze preparation.

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Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

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The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per unit. The following are now available:

- Book 1: Titles 1-3 (Presidential documents) with tables and index.
- Book 2: Titles 4-9, with index.
- Book 3: Titles 10-17, with index.
- Book 4: Titles 18-25, with index.
- Book 5, Part 1: Title 26, Parts 2-178.
- Book 5, Part 2: Title 26, completed; Title 27; with index.
- Book 6: Titles 28-32, with index.

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3. That said product will protect the cooling systems of automobile engines against corrosion, rust, or other deterioration.

4. That said product will not cause rust, corrosion, or other damage to the cooling systems of automobile engines or damage to such engines or to radiators or hose connections or the exterior finish of automobiles.

5. That said product will not evaporate in use or clog passages in the cooling system of automobile engines.

6. That said product will not injure, rust, or corrode aluminum, brass, copper, iron, or other metals, or injure the rubber parts of the cooling systems of automobile engines.

7. That said product is an antifreeze preparation for use in the cooling systems of automobile engines, without affirmatively disclosing in a clear and conspicuous manner in immediate connection with such representation, that said preparation will rust and corrode the cooling systems of automobile engines and may clog the passages in such systems.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 44-11836; Filed, August 8, 1944; 10:40 a. m.]

### TITLE 19—CUSTOMS DUTIES

#### Chapter I—Bureau of Customs

[T. D. 51107]

#### PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

##### CREW AND PASSENGER LISTS

AUGUST 5, 1944.

The third sentence of paragraph (b), § 4.9, Customs Regulations of 1943 (8 F.R. 8121), is hereby rescinded and the following is substituted therefor:

The collector may give the master a certificate of deposit on customs Form 1370. If the collector gives the master such a certificate, it shall be exchanged for the vessel's document upon clearance of the vessel, or upon its departure if clearance is not required. (Secs. 434, 435, 624, 46 Stat. 711, 759, sec. 301, 49 Stat. 527; 19 U.S.C. 1434, 1435, 1624. E.O. 9083; 7 F.R. 1609)

The first sentence of paragraph (a) of § 4.50, Customs Regulations of 1943 (8 F.R. 8130), is hereby amended to read as follows:

The master of every vessel arriving at a port of the United States from foreign territory and required to make entry shall submit for inspection to the customs officer who first makes a demand therefor, and shall subsequently deliver with his inward foreign manifest on entry of the vessel, a correct list in duplicate on customs Form 1440, signed and verified under oath by the master, of all passengers on board, specifying the name of each passenger; the age of each child of 8 years or under; sex; whether married or single; location of compartment or space occupied during the voyage, if the passenger be other than a cabin passenger; whether a citizen of the United States; and the number of pieces of his baggage. (R.S. 161, sec. 9, 22 Stat. 189, sec. 2, 23 Stat. 118, sec. 1, 33 Stat. 711, sec. 1, 37 Stat. 736, sec. 431, 46 Stat. 710; 5 U.S.C. 22, 19 U.S.C. 1431, 46 U.S.C. 2, 158, E.O. 9083; 7 F.R. 1609)

FRANK DOW,

Acting Commissioner of Customs.

Approved:

HERBERT E. GASTON,

Acting Secretary of the Treasury.

[F. R. Doc. 44-11833; Filed, August 7, 1944;  
4:09 p. m.]

## TITLE 29—LABOR

### Chapter VII—War Manpower Commission

[General Order 1, Amdt. 5]

#### PART 901—TRANSPORTATION OF WORKERS

##### TRANSPORTATION OF WORKERS TO NON-FERROUS METAL AND LUMBER PRODUCING AREAS

Section 901.6 of the "Regulations Governing Transportation of Workers to Non-Ferrous Metal and Lumber Producing Areas" (7 F.R. 8457, 10253; 8 F.R. 839, 4943, 17339) promulgated by the Chairman of the War Manpower Commission on October 17, 1942, pursuant to the letter of the President dated October 8, 1942, allocating certain sums from the Emergency Fund for the President to the War Manpower Commission, as amended by Amendment No. 1, dated December 4, 1942, Amendment No. 2, dated January 14, 1943, Amendment No. 3, dated April 14, 1943, and Amendment No. 4, dated December 22, 1943 is further amended by adding at the end of said § 901.6 two new paragraphs (f) and (g) as follows:

(f) Notwithstanding anything in these regulations to the contrary, any worker:

(1) Who has heretofore been transported to the place of employment under a contract of employment which conforms to the provisions of section 2 of these regulations, and

(2) Who by reason of the failure of the War Manpower Commission to provide transportation in accordance with its obligations under the contract, or in reliance upon erroneous instructions or information received from the office of

the United States Employment Service of the War Manpower Commission concerning the prescribed procedure for obtaining transportation of dependents or household effects at government expense has, at his own expense, provided transportation for his dependents designated in the contract of employment or household effects described in the contract of employment, and

(3) Who would have been entitled to such transportation at government expense, or to reimbursement for the cost thereof, if the prescribed procedure under these regulations had been observed, shall be reimbursed for the cost of such transportation upon presentation to the United States Employment Service office nearest to the place of employment, on or before October 15, 1944, of a standard voucher setting forth in detail the actual transportation thus provided and the cost thereof. Such reimbursement shall be paid only after certification by an officer or employee of the United States Employment Service that the transportation was provided and that payment should be made; and, in no event, shall payment be made pursuant to this subsection in excess of the cost which would have been incurred by the government had such transportation been afforded pursuant to the prescribed procedure therefor.

(g) Paragraph (f) of this section shall be effective August 15, 1944, and shall be applicable only to transportation which was provided at the worker's own expense prior to August 15, 1944.

PAUL V. MCNUTT,

Chairman.

AUGUST 4, 1944.

[F. R. Doc. 44-11825; Filed, August 7, 1944;  
3:14 p. m.]

### Chapter IX—War Food Administration (Agricultural Labor)

#### PART 1100—REGULATIONS RELATIVE TO SALARIES AND WAGES OF AGRICULTURAL LABOR

##### ESTABLISHMENT OF WAGE CEILINGS

The regulations relative to salaries and wages of agricultural labor issued by the War Food Administrator on January 17, 1944 (9 F.R. 655) and amended on June 1, 1944 (9 F.R. 6011) and on July 1, 1944 (9 F.R. 7378) are hereby amended as follows:

1. Section 1100.8 is amended to read as follows:

§ 1100.8 *Procedure for recommending establishment of wage ceilings.* Whenever it is requested in writing, by petition or otherwise, by a majority of the producers of any commodity in a particular area which would be affected by a specific wage ceiling regulation relative to that particular commodity and area, the wage board having jurisdiction over that area shall hold a public hearing for the purpose of aiding the Administrator in establishing a specific wage ceiling regulation, as described in § 1100.7 hereof, *Provided, however,* That a wage board may, without receiving such a prior request from such producers, hold a hearing for

the purpose of establishing such a specific wage ceiling regulation, if, after such a hearing and before the wage board recommends a particular specific wage ceiling regulation to the Administration, a majority of such producers request in writing a specific wage ceiling regulation for such commodity in such area.

For the purpose of such a hearing a member of the staff of the Office of Labor, sitting as a non-voting member of the board, may be appointed. The board shall give public notice of such hearing at least three days prior to the hearing. Such public notice shall be given by posting in prominent places in the area to be affected, and by publication in local newspapers of general circulation. The hearing shall be conducted by two or more members of the board as the board shall direct. The hearing shall be informal. Testimony shall be taken concerning the type of work to be controlled, the exact areas to be subject to control, the crop or crops to be affected, the wage rates paid, and all related matters relative to the establishment of a wage ceiling. All interested persons may appear and testify. A transcript of the record shall be kept. The presiding officer shall open the hearing with a statement of its purpose and the rules which will govern. As soon as possible after the hearing is concluded, the board shall prepare its recommendations (which must be approved by at least a majority of the board) as to the type of employment, wage rates to be paid, crop or crops to be affected, the extent of the area to be subject to control, and other related matters, and forward the report together with the transcript of the hearing to the Administrator. Neither the testimony received nor the recommendations of the board are binding upon the Administrator in establishing a specific wage ceiling regulation. Any interested person may file a petition for reconsideration of a specific wage ceiling regulation with the wage board administering the regulation or with the Administrator. If such petition is filed with a wage board, such board shall forward the petition together with its recommendations to the Administrator.

(56 Stat. 765, 50 U.S.C. Supp. II 961 et seq., as amended by Pub. Law 34, 78th Cong.; E.O. 9328, 8 F.R. 9681, regulations of Economic Stabilization Director, dated August 28, 1943, as amended, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035)

Issued this 8th day of August 1944.

WILSON COWEN,

Assistant War Food Administrator.

[F. R. Doc. 44-11850; Filed, August 8, 1944;  
11:21 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter VI—Selective Service System

[Amdt. 251, 2d Ed.]

#### PART 619—CANCELLATION OF REGISTRATION

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Reg-

ulations, Second Edition, are hereby amended in the following respect:

Amend the regulations by adding a new part to be known as Part 619 to read as follows:

#### Sec. DUPLICATE REGISTRATIONS

- 619.1 Cancellation when registrant inducted.
- 619.2 Cancellation when registrant found unacceptable for service.
- 619.3 Cancellation when registrant enlisted or inducted while registered with another local board.
- 619.4 Cancellation when registrant improperly registered.
- 619.5 Cancellation when registrant prosecuted and convicted for delinquency.
- 619.6 Notification to State Director of Selective Service.

#### CANCELLATION BY DIRECTOR OF SELECTIVE SERVICE

- 619.11 When cancellation authorized by Director of Selective Service.

AUTHORITY: §§ 619.1 to 619.11, inclusive, issued under 54 Stat. 885, as amended; 50 U.S.C. App., and Sup. 301-318.

#### DUPLICATE REGISTRATIONS

§ 619.1 *Cancellation when registrant inducted.* If a registrant who is registered with two or more local boards has responded to an Order to Report for Induction (Form 150) and has been inducted from one of such local boards, the other local board or local boards with which he is registered, upon learning of his induction, shall (1) cancel his registration and write across the face of his Registration Card (Form 1) "Cancelled—Duplicate Registration—Inducted Local Board No. \_\_\_\_\_ (identify the local board from which inducted) Date \_\_\_\_\_," (2) take up and cancel the Registration Certificate (Form 2) if issued and available, and (3) report the cancellation on Local Board Action Report (Form 110). The cancelled Registration Card (Form 1) and Registration Certificate (Form 2) shall be retained in the files of the local board which cancels them, but the remainder of the registrant's file shall be transmitted to the local board from which he was inducted for inclusion in the registrant's Cover Sheet (Form 53) with that local board.

§ 619.2 *Cancellation when registrant found unacceptable for service.* If a registrant who is registered with two or more local boards has responded to an Order to Report—Preinduction Physical Examination (Form 215) or to an Order to Report for Induction (Form 150) from one of such local boards and has been found disqualified for military service, the other local board or local boards with which he is registered, upon learning of his rejection for service, shall (1) cancel his registration and write across the face of his Registration Card (Form 1) "Cancelled—Duplicate Registration—Delivered Local Board No. \_\_\_\_\_ (identify the local board which delivered him) Date \_\_\_\_\_, and Rejected," (2) take up and cancel the Registration Certificate (Form 2) if issued and available, and (3) report the cancellation on

Local Board Action Report (Form 110). The cancelled Registration Card (Form 1) and Registration Certificate (Form 2) shall be retained in the files of the local board which cancels them, but the remainder of the registrant's file shall be transmitted to the local board from which he was delivered and rejected for inclusion in the registrant's Cover Sheet (Form 53) with that local board.

§ 619.3 *Cancellation when registrant enlisted or inducted while registered with another local board.* If a registrant enlists or is inducted in the armed forces while registered with one local board and, upon being separated from the armed forces, registers with another local board or local boards, the local board or local boards with which he registered after being separated from the armed forces, upon learning that he had enlisted or been inducted while registered with another local board, shall (1) cancel his registration and write across the face of his Registration Card (Form 1) "Cancelled—Duplicate Registration—Enlisted (or Inducted) Local Board No. \_\_\_\_\_ (identify the local board with which he was registered when enlisted or inducted) Date \_\_\_\_\_," (2) take up and cancel the Registration Certificate (Form 2) if issued and available, and (3) report the cancellation on Local Board Action Report (Form 110). The cancelled Registration Card (Form 1) and Registration Certificate (Form 2) shall be retained in the files of the local board which cancels them, but the remainder of the registrant's file shall be transmitted to the local board with which he was registered when he enlisted or was inducted for inclusion in the registrant's Cover Sheet (Form 53) with that local board.

§ 619.4 *Cancellation when registrant improperly registered.* If a registrant has registered improperly with a local board at a time when he was not required by law to present himself for and submit to registration and such registrant subsequently registers properly with another local board which has jurisdiction over his place of residence at a time when he is required by law to present himself for and submit to registration, the local board with which he registered improperly, upon learning that such registration was improper and that he has properly registered with another local board, shall (1) cancel his registration and write across the face of his Registration Card (Form 1) "Cancelled—Duplicate Registration—Improperly Registered—Properly Registered Local Board No. \_\_\_\_\_ (identify the local board at which he has properly registered) Date \_\_\_\_\_," (2) take up and cancel the Registration Certificate (Form 2) if issued and available, and (3) report the cancellation on Local Board Action Report (Form 110). The cancelled Registration Card (Form 1) and Registration Certificate (Form 2) shall be retained in the files of the local board which cancels them, but the remainder of the registrant's file shall be transmitted to the local board at which he is properly registered for inclusion

in the registrant's Cover Sheet (Form 53) with that local board.

§ 619.5 *Cancellation when registrant prosecuted and convicted for delinquency.* If a registrant who is registered with two or more local boards has become delinquent with one such local board and has been prosecuted and convicted for such delinquency, the other local board or local boards with which he is registered, upon learning of his prosecution and conviction, shall (1) cancel his registration and write across the face of his Registration Card (Form 1) "Cancelled—Prosecuted and Convicted for Delinquency from Local Board No. \_\_\_\_\_ (identify the local board from which he was prosecuted and convicted) Date \_\_\_\_\_," (2) take up and cancel the Registration Certificate (Form 2) if issued and available, and (3) report the cancellation on Local Board Action Report (Form 110). The cancelled Registration Card (Form 1) and Registration Certificate (Form 2) shall be retained in the files of the local board which cancels them, but the remainder of the registrant's file shall be transmitted to the local board from which he was prosecuted and convicted for inclusion in the registrant's Cover Sheet (Form 53) with that local board.

§ 619.6 *Notification to State Director of Selective Service.* A local board shall report immediately to the State Director of Selective Service its action in cancelling the registration of a registrant under any of the foregoing sections of this part of these regulations, and such action shall constitute a determination by the local board subject to appeal under § 627.1.

#### CANCELLATION BY DIRECTOR OF SELECTIVE SERVICE

§ 619.11 *When cancellation authorized by Director of Selective Service.* The Director of Selective Service may authorize the cancellation by a local board of the registration of any person whenever the Director of Selective Service determines that such registrant is either a person not required by law to be registered or a person properly registered with another local board. The local board so authorized shall (1) cancel the registration of such registrant and write across the face of his Registration Card (Form 1) "Cancelled—Authorized by Director—(if registered with another local board, so state and identify such local board) Date \_\_\_\_\_," (2) take up and cancel the Registration Certificate (Form 2) if issued and available, (3) report the cancellation on Local Board Action Report (Form 110), and (4) retain the entire file of the registrant unless specifically instructed by the Director of Selective Service to transmit such file, or some portion thereof, to another local board with which the registrant has also registered.

The foregoing amendment to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental

limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

AUGUST 7, 1944.

[F. R. Doc. 44-11826; Filed, August 7, 1944;  
2:59 p. m.]

## Chapter IX—War Production Board

### Subchapter B—Executive Vice-Chairman

**AUTHORITY:** Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-527, Amdt. 2]

BLOOMFIELD MFG. CO.

Upon further consideration of the appeal of the Bloomfield Manufacturing Company, the Chief Compliance Commissioner has directed that Suspension Order No. S-527, as amended June 17, 1944, be amended. In view of the foregoing: It is hereby ordered that:

Section 1010.527 *Suspension Order No. S-527*, issued April 25, 1944, as amended June 17, 1944, be and hereby is amended, by striking out paragraph (f) and substituting therefor the following:

(f) The provisions of this suspension order shall not apply to contracts or purchase orders bearing preference ratings of AA-1 or higher.

Issued this 7th day of August 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-11827; Filed, August 7, 1944;  
4:20 p. m.]

#### PART 1044—CADMIUM

[General Preference Order M-65, as  
Amended Aug. 8, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of cadmium for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1044.1 *General Preference Order M-65*—(a) *Scope of this order.* This order controls deliveries of cadmium from a producer or distributor. No producer or distributor shall deliver cadmium to any person, and no person shall accept delivery of cadmium from any producer or distributor, except as provided in this order. The order also restricts the use which may be made of cadmium or cadmium products. The permitted uses will be found listed below in paragraphs (d) and (e).

(b) *Definitions.* For the purposes of this order:

(1) "Cadmium" means all grades of metallic cadmium, oxide, or plating

salts produced directly from ores, concentrates or other primary materials, or redistilled or remelted from cadmium scrap or any secondary cadmium-bearing material; or cadmium-bearing materials suitable for the manufacture of pigments.

(2) "Cadmium product" means an electroplated coating of cadmium.

(3) "Distributor" means any person regularly engaged in the business of buying cadmium and selling the same in forms suitable for general fabrication or electroplating. It also includes laboratory supply houses to the extent they are engaged in buying and selling cadmium in any form to laboratories.

(c) *Deliveries of cadmium.* Producers and distributors may deliver cadmium, and persons may accept delivery of cadmium from a producer or distributor in the following cases only:

(1) *Small order delivery.* Deliveries of cadmium from a producer or distributor may be made and accepted without the necessity of obtaining any specific authorization from the War Production Board if (i) The delivery in question, combined with all other deliveries of cadmium to the purchaser during that calendar month, from whatever source, will not aggregate more than 100 pounds of contained cadmium; (ii) The purchaser has not requested from the War Production Board authorization for that particular month to accept delivery of cadmium in any quantity—see paragraph (c) (5) below (a request to the War Production Board shall be deemed a request within the meaning of this paragraph, regardless of whether it has been granted or denied); (iii) The cadmium purchased will be used only as permitted in paragraphs (d) and (e) of this order and not for resale; (iv) The inventory of the purchaser is not, and will not upon acceptance of the delivery become, in excess of a 30-day supply on the basis of his current method and rate of operation; and (v) The producer or distributor may make deliveries without any specific authorization from the War Production Board unless he knows or has reason to believe, that the delivery will be in violation of this paragraph (c) (1) or that the cadmium delivered is to be used in violation of the restrictions of this or other applicable orders of the War Production Board.

(2) *Deliveries to distributors.* Deliveries of cadmium may be made to and accepted by distributors.

(3) *Deliveries to Metals Reserve Company.* Deliveries of cadmium may be made to and accepted by Metals Reserve Company for the sole purpose of stockpiling or redistribution.

(4) *Deliveries to laboratories.* Deliveries of cadmium may be made to and accepted by laboratories.

(5) *WPB Authorization.* Other deliveries of cadmium may be made only on specific authorization of the War Production Board and in accordance with an authorization certificate issued by the War Production Board on Form WPB-945. Deliveries so specifically authorized shall take precedence over any preference rating which may be assigned to deliveries on other contract or orders. Authorization certificates will be issued on or about the first of each month for

this purpose. An authorization certificate will authorize the holder to accept from a producer or distributor deliveries of specified amounts of cadmium shipped during the month for which the certificate is issued. The producer or distributor may ship on notification from the purchaser of the date and serial number of the authorization certificate. Any person wishing to apply for an authorization certificate should file an application on Form WPB-945 not later than the fifteenth day of the month preceding the month in which the authorization to purchase is desired.

(d) *Restrictions on the use of cadmium.* No person may use in any fashion any cadmium except for one or more of the following purposes, and then only to the extent necessary to meet applicable specifications or for the proper service performance of the end product, and to maintain a thirty-day supply of the cadmium containing item on the basis of current rate of deliveries for permitted uses. No person who uses cadmium may deliver the cadmium containing item to any person except on receipt by him, directly or through a dealer, from the person who will receive delivery of the cadmium containing item, of a certification substantially in the form prescribed by Priorities Regulation No. 7 that the cadmium containing item to be delivered will be used for one or more of the following purposes:

(1) For the manufacture of pigments for the following:

- Luminescent paint for military uses
- Luminescent printing ink for military uses
- Luminescent paper for military uses
- Luminescent plastic for military uses
- Signal and illuminating glass ware for safety, religious, military and industrial uses only
- Thermometer tubing
- Rubber sea buoys
- Dental rubber
- Artist's colors
- X-ray fluoroscopic screens for medical purposes
- Luminescent glass for cathode ray tubes.

(2) For the manufacture of silver brazing alloys containing no more than 11% by weight of cadmium to be used for military and industrial purposes to the extent that the use of a less critical material is impracticable except that silver brazing alloys containing up to 19% may be manufactured for applications specifically required by the Armed Services and for identical industrial applications.

(3) For the manufacture of copper base alloys containing no more than 1¼% by weight of cadmium for the following:

- (i) Current carrying parts of electrical current interruption devices to the extent that sufficient contact pressure cannot be maintained in service with other less critical materials.

- (ii) Parts inside electronic tubes.

- (iii) Resistance welding electrodes.

- (iv) Overhead electrical contact wire for repair and replacement in railway, street car and trolley bus systems.

- (v) Multistrand railroad signal bond wire.

- (vi) Shunt wire leads for motors and generators.

- (vii) Flexible terminals of resistors, condensers and field coils.

(4) For the manufacture of bearings for the following:

(i) Internal combustion engines for the propulsion of naval vessels when specifically required by the U. S. Navy.

(ii) In radio and radar equipment.

(5) For the manufacture of low melting point alloys for the following:

(i) On dry type rectifier elements.

(ii) In fire protective systems, safety devices and electrical fuses.

NOTE: Subdivisions (iii) and (iv), formerly (iv) and (vi), redesignated, and former subdivisions (iii) and (v) deleted Aug. 8, 1944.

(iii) Plugs for screwless fasteners in rimless metal spectacles.

(iv) Dental use.

(6) For the manufacture of low melting point alloys containing no more than 10% by weight of cadmium for the following:

(i) In plastic fire control instruments for the mounting of optics.

(ii) Seals between brass and glass parts of liquid high voltage fuses.

(iii) In the manufacture of inspection gauges.

(iv) Bending of thin wall tubes.

(v) Bending of finished roll-formed and extruded shapes.

(7) For the manufacture of low melting point alloys containing no more than 6.5% by weight of cadmium for the following:

(i) Anchorage for bushings in drill jigs and punch press dies.

(ii) Location of control points and surfaces (except floor grouting) in construction of fixtures.

(8) For the manufacture of zinc base alloy, containing no more than .5% by weight of cadmium, for rolling.

(9) For the manufacture of type metal containing no more than .5% by weight of cadmium.

NOTE: Paragraphs (10) through (17) formerly (6) through (13) redesignated Aug. 8, 1944.

(10) For the manufacture of a lead base alloy containing no more than 3% by weight of cadmium for the coating of copper wire;

(11) For the manufacture of any cadmium product permitted by paragraph (e).

(12) For the manufacture of items classified as secret, to the extent that certification of engineering necessity issued by the Armed Services has been filed with the first request for allocation for this use on Form WPB-945.

(13) For the manufacture of standard cells.

(14) For the manufacture of electrolytic testers for storage batteries.

(15) For the manufacture of cadmium impregnated carbon or of cadmium-silver alloys for use as contacts in electric current interruption devices.

(16) For use in laboratories for research, control, analysis, assaying, or educational work.

(17) For the manufacture of cadmium chemicals.

(e) *Restrictions on the use of cadmium products.* No person may use in any fashion any cadmium product except as permitted in subparagraphs (1) to (22), and then only to the extent necessary to meet applicable specifications or for the proper service performance of the end product:

(1) On functional parts which in service are subjected to frequent and extended periods of alternate immersion in sea water or wet spray of sea water to the extent that other finishes cannot be used for reasons of close tolerance or performance;

(2) On heddles and pin boards used in textile plants to the extent that corrosive action makes the use of other materials impracticable;

(3) On ferrous hardware parts in direct contact with fabric or leather when used on the following:

Aircraft parachutes.  
Aircraft safety belts.  
Aircraft shoulder harnesses.  
Aircraft bomb slings.

(4) On moving parts which require close tolerances for proper functioning and on parts adjacent to such moving parts, to the extent that the tolerances cannot be maintained in service with other finishes because of mechanical or electrical interference by the products of corrosion or wear.

(5) On electric controllers and switches incorporated into underground mining machinery as required by the safety regulations of the Bureau of Mines;

(6) On the following ferrous parts which in service reach a temperature of 500° F. or higher and on parts in contact with such ferrous parts:

(i) Aircraft parts requiring corrosion protection;

(ii) Functional parts subject to the combined effect of corrosion and stress.

(7) On parts which serve to maintain an electrical contact for the suppression of radio interference to the extent that one of the contacted surfaces is aluminum, magnesium or their alloys;

(8) On electrical contact parts of aircraft ignition harnesses and propeller hubs;

(9) On parts of electrical equipment to the extent that they, for performance reasons, must be soldered with the use of noncorrosive fluxes and other finishes do not provide required corrosion protection.

(10) On the following parts of electronic equipment when required by the Armed Services, the Maritime Commission and War Shipping Administration:

(i) Surfaces involved in unsoldered butt joints which must remain constant in electrical and radio frequency resistance or both.

(ii) Surfaces which require good conductivity for radio frequency current.

(iii) Non-ferrous parts in contact with aluminum parts for prevention of electrolytic corrosion.

(11) On ferrous nuts, bolts, machine screws and washers for use in aircraft except for self-locking nuts designed for application below 250° F;

(12) On nuts, bolts, machine screws and studs having threads  $\frac{3}{8}$  inch di-

ameter and smaller and/or having sixteen or more threads per inch for use by the United States Navy, Maritime Commission or War Shipping Administration and for use by the United States Army in ship construction.

(13) On parts subject to frictional contact at least one of which is a moving part, to the extent that other finishes of required thickness and corrosion protective value cause gouging, seizure or binding.

(14) On parts which in service are subjected to the corrosive action of chlorine except on items which contact chlorine only during laundry operations.

(15) On parts of items classified as secret, to the extent that certification of engineering necessity issued by the Armed Service has been filed with the first request for Allocation for this use on Form WPB-945.

(16) On high carbon steel springs and on parts which of necessity have been assembled with such springs before the plating operation, to the extent that the springs are subject to both alternating stresses of a magnitude approaching the fatigue limit of the steel and to corrosive influences requiring a high degree of corrosion protection, if the springs fall in one of the following categories:

(i) Flat springs of a thickness of  $\frac{3}{32}$  inch or less;

(ii) Springs made of wire of a diameter of  $\frac{1}{4}$  inch or less;

(iii) Valve springs for marine Diesel engines; or

(iv) Springs for aircraft landing gear.

(17) On ferrous springs and on parts which of necessity have been assembled with such springs before the plating operation, to the extent that the springs are subject to corrosive influence requiring a high degree of corrosion protection, if the springs fall in one of the following categories:

(i) Detent springs of fuses when cadmium is specifically required by the cognizant Armed Service;

(ii) Spring parts of cowl fasteners for aircraft use;

(iii) Snap rings of a wire diameter of  $\frac{1}{4}$  inch or less for military and industrial uses; or

(iv) Lock washers and lock clips of a thickness of  $\frac{3}{32}$  inch or less for military and industrial uses.

(18) On carburetor and magneto parts for aircraft engines.

(19) On external parts of engines for combat aircraft, excluding attachments which are not integral parts of the engine proper, such as clips, clamps, and lugs, and further excluding such parts on which alternative finishes have proven satisfactory in service and newly designed parts performing similar functions.

(20) On hydraulic fitting coupling sleeves made of copper alloys for use in aircraft.

(21) On electrical contact parts which touch parts of aluminum, magnesium or their alloys.

(22) On torpedo parts.

(f) *Certification on purchase orders.* No person shall place an order for, deliver or accept delivery of any cadmium or cadmium product, unless the purchaser

shall have certified in substantially the form set forth in Priorities Regulation No. 7 that the cadmium products to be delivered will be used for a purpose permitted by this order.

(g) *Appeals.* Any person may appeal from the provisions of paragraphs (d) and (e) of this order. Only prohibited items should be included in an appeal. Appeals should be made in letter form, in triplicate, and must be filed with the Field Office of the War Production Board for the district in which is located the plant to which the appeal relates, setting forth essentially the following information:

(1) Period of time, not exceeding six months, for which relief is requested;

(2) Monthly schedule of the amount of contained cadmium required;

(3) Description (and for cadmium containing alloys also the alloy composition), function, number, and cadmium requirement of each part or of each group of parts fulfilling related functions;

(4) Prime contract number, including symbol, if the item on appeal is covered by an Army, Navy, Maritime Commission or War Shipping Administration contract;

(5) Justification, including the reasons why substitutes are unsatisfactory because of performance, lack of facilities or manpower. An unsupported opinion is seldom sufficient justification.

The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Special directions.* The War Production Board may, from time to time, issue special directions to any person as to the sources, destination, or amounts of cadmium or cadmium products to be shipped and delivered by any producer or distributor or received by any person, and the War Production Board may also specifically direct the manner and quantities in which such cadmium or cadmium product may be processed.

(i) *Reports.* All producers, distributors and consumers of cadmium shall file reports with the War Production Board, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, at such time and in such manner and form as it may prescribe, showing inventory, production, purchases, sales and consumption and such other information that the War Production Board may require.

(j) *Communications.* All applications, statements or other communications filed pursuant to this order or concerning the subject matter hereof, other than appeals from the provisions of paragraphs (d) and (e), shall be addressed to: War Production Board, Tin, Lead and Zinc Division WPB Dept. 7512, Washington 25, D. C.; Ref.: M-65.

(k) *Violations.* Any person who willfully violates any provision of this order,

or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priorities assistance.

Issued this 8th day of August 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-11843; Filed, August 8, 1944;  
10:59 a. m.]

#### PART 1046—SUPPLIERS

[Limitation Order L-63, as Amended Aug. 8, 1944]

§ 1046.1 *Suppliers' Inventory Limitation Order L-63—(a) Definitions.* (1) "Supplies" means all the supplies listed below:

- (i) Automotive supplies.
- (ii) Aviation supplies.
- (iii) Builders' supplies.
- (iv) Construction supplies.
- (v) Dairy supplies.
- (vi) Electrical supplies.
- (vii) Farm supplies.
- (viii) Foundry supplies.
- (ix) Grain elevator supplies.
- (x) Hardware supplies.
- (xi) Industrial supplies.
- (xii) Plumbing & heating supplies.
- (xiii) Refrigeration supplies.
- (xiv) Restaurant supplies.
- (xv) Textile mill supplies.
- (xvi) Transmission supplies.
- (xvii) Welding & cutting supplies.

even though such items or materials may be "consumers' goods" within the meaning of that term as used in Limitation Order L-219; but supplies shall not be deemed to include any of the items or materials set forth in List A.

(2) "Supplier" means any person (other than a producer) located in the 48 states or the District of Columbia, whose business consists, in whole or in part, of the sale from stock or inventory of supplies. "Supplier" includes wholesalers, distributors, jobbers, dealers, retailers, branch warehouses of producers and other persons performing a similar function.

(3) "Producer" means any person including any branch, division or section of any enterprise, which manufactures, processes, fabricates, assembles or otherwise physically changes any material.

(4) "Sales" means sales from stock, including consigned stocks and excluding direct shipments (i. e., excluding sales made by a supplier of supplies which such supplier has never received delivery of but has ordered from the producer thereof with instructions that they be shipped directly to the supplier's customer).

(5) "Seasonal lines" means any line of supplies in which a minimum of 40% of the supplier's total annual sales are made during a period of 90 days, or less.

(6) "Maximum permissible inventory" means:

(i) In the case of a supplier located in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma and Texas, an inventory (owned or consigned to him) of supplies of a total dollar value at cost (by physical or book inventory, at the option of the supplier) equal to the sales of such supplies at net sales figures, shipped from his inventory, during the four preceding calendar months.

(ii) In the case of a supplier located in the District of Columbia or any of the forty-eight states not enumerated in paragraph (a) (6) (i) above, an inventory (owned or consigned to him) of supplies of a total dollar value at cost (by physical or book inventory, at the option of the supplier) equal to sales of such supplies at net sales figures shipped from his inventory during the three preceding calendar months.

(b) *Limitation of supplier's inventories.* (1) Except as provided in paragraph (b) (3), (4), (5), and (6), no supplier shall accept any delivery of supplies from any person which will effect an increase in the inventories of the supplier above his maximum permissible inventory; and

(2) Except as provided in paragraphs (b) (3), (4), (5) and (6), no person shall make to any supplier any delivery of supplies which such person knows or has reason to believe will effect an increase in such supplier's inventory of supplies above the supplier's maximum permissible inventory.

(3) Any supplier, regardless of where located, shall be permitted to purchase and store an amount of seasonal lines equal to those which he purchased in the peak period of a comparable period of the previous year, but this peak period shall not exceed 120 days.

(4) A supplier may accept delivery of supplies which will increase his stock above the maximum permissible inventory, if such supplier's inventory of supplies is at the time of delivery less than his maximum permissible inventory and the delivery of the minimum quantity of such supplies that can be commercially procured.

(5) A supplier may accept delivery of specific items of supplies when his stock of all items in the aggregate exceeds, or will by virtue of such acceptance exceed, his maximum permissible inventory, but only to the extent necessary to bring such supplier's inventory of those specific items (owned or consigned to him) up to a total dollar value equal to the sales of such items shipped from such supplier's inventories during the preceding month.

(6) The War Production Board may, from time to time, exempt specified suppliers or classes of suppliers from the provisions of this order, subject to such restrictions as the War Production Board may impose application for exemption should be made by letter.

(7) The provisions of this order shall not apply to any supplier whose total inventory at cost, including consigned stocks, of all supplies is less than \$35,000.

(c) *Provisions of other orders.* No provision of this order shall be construed to permit the accumulation of inventories of any item of material in contravention of the provisions of any other applicable order or orders issued by the War Production Board or heretofore issued by the Office of Production Management.

(d) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(e) *Records and reports.* Each supplier (other than those who are exempt under paragraph (b) (6) or (b) (7)) must keep an up-to-date record of his total net monthly sales of supplies from stock, and his total inventory of supplies at the end of each month. He need not keep a separate record of his sales and inventory of each type of supplies. A record of his sales and inventory of all kinds of supplies in the aggregate will be satisfactory. In preparing his sales record he should use net selling prices, including sales from consigned stock and excluding direct shipments. His inventory record may be based either on book inventory or physical count. Inventory valuations must be at cost and must include consigned stock. The sales and inventory data required by this paragraph must be preserved for a period of at least two years, available for inspection by authorized representatives of the War Production Board. This record keeping plan has the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942. Subject to the approval of the Bureau of the Budget, the War Production Board may at any time ask for the submission of this data.

(f) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(g) *Communications.* All communications concerning this order shall be addressed to War Production Board, Wholesale and Retail Trade Division, Washington 25, D. C., Ref.: L-63.

Issued this 8th day of August 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### LIST A

The types of material set forth below are not deemed to be supplies within the meaning of paragraph (a) (1). Accordingly, these materials may be excluded from the monthly report required by paragraph (e), and are not subject to the inventory restrictions required by paragraph (b), provided that sales of such materials are not included in computing maximum permissible inventory as defined in paragraph (a) (6).

(1) All General Steel Products listed in Schedule A of General Preference Order M-21-b-1 and all Merchant Trade Products listed in Schedule I of General Preference Order M-21-b-2.

(2) Materials made of aluminum, provided such materials were acquired by the supplier pursuant to allocation or other

specific authorization of the War Production Board.

(3) Automotive replacement parts as defined in Limitation Order L-158, and Automotive replacement batteries as defined in Limitation Order L-180.

(4) Replacement parts specially designed to fit only one model and brand of machinery or equipment, and adaptable to no other use: *Provided*, That in no event shall the supplier accept delivery of any such parts where his inventory thereof is, or will by virtue of such delivery become in excess of six times his sales of such parts during the second preceding calendar month.

(5) Machinery or equipment which is purchased by the supplier at a cost per unit in excess of \$500.

(6) Any material which is subject to rationing by the Office of Price Administration.

(7) The following building materials: Portland and natural cement, lime, gypsum and gypsum products, bituminous roofing materials, concrete pipe, cut stone, sand and gravel, crushed stone, clay products, insulation board, acoustical materials, mineral wool, paving materials, concrete products, glass, lumber wooden mill work.

(8) Domestic mechanical refrigerators, as defined in Limitation Order L-5-d.

(9) Bare or insulated wire or cable for electrical conduction made from copper or copper base alloy.

(10) Industrial materials and finished products sold to the supplier by a special sale under Priorities Regulation No. 13.

(11) Repair and replacement parts for commercial and industrial refrigeration equipment.

#### INTERPRETATION 1

"Supplies" as listed in paragraph (a) (1) of Limitation Order L-63 do not include seeds, plants, livestock, fertilizer, clocks, watches, sporting goods, furniture, pottery, china, or glassware. (Issued May 15, 1942.)

[F. R. Doc. 44-11844; Filed, August 8, 1944; 10:59 a. m.]

#### PART 3281—PULP AND PAPER<sup>1</sup>

[Limitation Order L-279, as Amended Aug. 8, 1944]

##### PAPER SHIPPING SACKS

§ 3281.91<sup>1</sup> *Limitation Order L-279—(a) Definitions.* For the purposes of this order:

(1) "Paper shipping sack" means any new single-wall, duplex, or multi-wall paper sack designed for use as (a) a primary container for packing a particular commodity for storage or shipment, (b) a container shipping sack for combining a number of packages of a particular commodity into a single shipping unit, or (c) an overslip shipping sack for covering a single package of a particular commodity for shipment. This does not include the following: sacks designed as liners for outer containers, combination textile-paper bags (bags made of textile laminated with paper), grocers and variety bags (as defined in Order L-261), bags made wholly from cellophane, glassine, parchment, or waxed paper, or flat envelope types of containers made on envelope machines (such as lithographic seed envelopes).

<sup>1</sup> Formerly Part 3270, § 3270.25.

(2) "Single-wall sack", "duplex sack", and "multi-wall sack" mean, respectively paper shipping sacks made with one wall, with two walls, and with more than two walls.

(3) "Sack manufacturer" means any person engaged in the business of manufacturing paper shipping sacks for sale or for his own use in packing any commodity produced or processed by him.

(4) "Commercial user" means any person who uses paper shipping sacks for packing any commodity produced or processed by him.

#### Restrictions

(b) *Restrictions on manufacture and use—(1) Restrictions on use of pulp and on deliveries of shipping sack papers.* All pulp allocated on Form WPB-2973, Sub-Schedule D-2 Items #054100 and #054900 must be used only for the manufacture of shipping sack paper. No paper manufacturer shall deliver shipping sack paper if he knows or has reason to know that it will be used other than in the manufacture of paper shipping sacks. No sack manufacturer or commercial user may receive or use shipping sack paper for any purpose other than to manufacture paper shipping sacks.

(2) *Restrictions on paper manufacture.* No sack manufacturer shall manufacture any paper shipping sack made of shipping sack paper which does not conform to all applicable restrictions of each schedule of this order.

(3) *Restrictions on use.* No commercial user may use a paper shipping sack made of shipping sack paper for any other purpose than those listed on Appendix A. However, any commercial user who used paper shipping sacks made of shipping sack paper prior to August 8, 1944, to package any commodity not listed on Appendix A may continue to use them for such purpose for 45 days after August 8, 1944. The provisions of this paragraph shall not apply to paper shipping sacks used for delivery to the Army, Navy, Maritime Commission or War Shipping Administration, nor to the Foreign Economic Administration for empty shipping sacks when shipped to or for the Armed Forces of the United States.

(c) *Restrictions on users' inventories.* No commercial user shall, at any time, accept delivery of paper shipping sacks which will increase his supply to more than the larger of the following amounts (this restriction applies to all paper shipping sacks, whether or not of the sizes and styles or for the commodities specifically mentioned in any schedule of this order):

(1) A total of 1½ carloads of all sizes and styles for all commodities (exclusive of sacks then in transit to him); or

(2) Reasonably anticipated requirements of each size and style for any particular non-seasonal commodity during

the next 60 days after the delivery of the sacks or any particular seasonal commodity during the next 120 days after the delivery of the sacks (with a 1/2-car leeway in either case, where necessary to round out a full car).

(d) *Inventories of multiple-unit organizations.* Any commercial user who maintains an inventory of paper shipping sacks at more than one location may, at his option, apply the inventory restrictions of paragraph (c) above either to the inventory of each such location separately or to the collective inventory of all such locations.

#### Wet Strength Paper Markings

(e) *Wet strength paper markings after December 1, 1943.* All wet strength paper used in the manufacture of single-wall, duplex and multi-wall paper shipping sacks must be distinctly colored, stained, printed or marked for identification purposes with longitudinal stripes, spaced not less than 2" nor more than 10" centers across the paper width and each stripe is to be not less than 1/8" in width. No other grade of paper used in such shipping sacks is to be striped as above. When wet strength paper is used as the outer ply of the shipping sacks, the identification must appear on the external surface. The provisions of this paragraph shall not apply to stocks on hand on October 27, 1943.

#### Miscellaneous Provisions

(f) *Certification to the seller of paper shipping sacks by the buyer.* No commercial user may order or accept delivery of paper shipping sacks, and no person may deliver paper shipping sacks to a commercial user unless the buyer furnishes, or has previously furnished, to the person making delivery, certification in substantially the following form, signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose.

The undersigned certifies, subject to the penalty of section 35A of the U. S. Criminal Code, to the seller and to the War Production Board that he is familiar with the order L-279 and that all purchases by him of items regulated by that order, as amended from time to time, will be in compliance therewith.

The above certificate must be used and the certification provided for in Priorities Regulation Number 7 may not be used in its place and stead.

This is a one-time certification and need not accompany each individual order for paper shipping sacks.

NOTE: Paragraphs (g), (h), (i) and (j) formerly (f), (g), (h) and (i) redesignated Aug. 8, 1944.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, referring to the particular provision appealed from and stating fully the grounds for the appeal.

(h) *Communications to the War Production Board.* All reports required to

be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Paper Division, Washington 25, D. C., Ref: L-279.

(i) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(j) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

Issued this 8th day of August 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

SCHEDULE I: *General Restrictions—(a) Applicability.* Except as otherwise specifically stated in this schedule, the provisions of this schedule shall apply, on and after July 19, 1943, to the manufacture of any paper shipping sack designed for packing the following:

(1) Sugar and lime in any quantity of 25 lbs. or more.

(2) Flour and cereal products in any quantity over 50 lbs.

(3) Any other commodity in any quantity over 25 lbs.

These restrictions are in addition to all other applicable restrictions of this order and all schedules of this order.

(b) *Prohibited paper finishes.* No paper with embossed, super-calendared, or special machine finish shall be used for the sacks of the kinds described in paragraph (a) of this schedule.

(c) [Deleted, Oct. 27, 1943]

(d) *Permitted paper grades.* No paper of any grade except the following shall be used for the sacks of the kinds described in paragraph (a) of this schedule.

Plain natural kraft and colored kraft.  
Kraft-and-hard fibre combinations (for single-wall and duplex sacks only).

Mildew-proof paper.

Oil-treated paper.

Water-repellent paper.

Wet-strength paper.

Paper especially processed for protecting commodities (such as asphalt, chemicals, molten rosin) which, because of their physical or chemical characteristics, require the protection of such paper.

NOTE: "Asphalted paper \* \* \*", "Paraffined paper" deleted from paragraph (d) Aug. 8, 1944.

(e) *Permitted paper grades for Appendix B.* Asphalted paper (paper laminated, impregnated, coated or infused with asphaltic compounds), paraffined paper and moisture-proof paper may only be used for paper shipping sacks to package the items listed on Appendix B.

(f) *Permitted basis weights.* Basis weights shall be computed on the basis of 500 24" x 36" sheets per ream, with a tolerance of 5% (plus or minus).

(1) *For single-wall and duplex sacks.* No plain natural kraft, plain bleached kraft, kraft-and-hard-fibre combination, or wet-strength paper of any basis weight except the following shall be used for single-wall and duplex sacks of the kinds described in paragraph (a) of this schedule:

30, 40, 50, 60, 70, 80, 90, 100, 110, 120, 125, 130 lbs., and, for packing carbon black only, 35 lbs. also.

(2) *Multi-wall sacks.* No plain natural kraft or wet-strength paper of any basis weight except the following shall be used for multi-wall sacks of the kinds described in paragraph (a) of this schedule:

40, 50, 60, and 70 lbs. only.

(g) [Deleted, Oct. 27, 1943]

SCHEDULE II: *Additional restrictions for certain sacks—(a) Applicability.* The restrictions of this Schedule are in addition to any other applicable restrictions of this order and all schedules of this order.

(b) *Restrictions on sack sizes.* No sack manufacturer shall manufacture any paper shipping sack designed for packing any commodity listed below, except in any size of more than 100 lbs. or in any of the sizes specified below for that commodity:

Sack designed for packing commodity specified (1)	Sack size (net weight capacity unless otherwise specified) (2)
Beans	2-5-10-25-50-100 lbs.
Cement (standard portland)	94 lbs.
Flour (milled wheat) <sup>1</sup>	2-5-10-25-50-100 lbs.
Meal	2-5-10-25-50-100 lbs.
Plaster (gypsum)	2-5-10-25-50-100 lbs. (gross weight)
Potatoes	2-5-10-15-25-50-100 lbs.
Processed feed (mixed, mill)	2-5-10-25-50-100 lbs.
Rice	2-3-5-10-15-25-50-100 lbs.
Salt	2-4-10-25-50-100 lbs.
Seeds <sup>2</sup>	2-5-10-25-50-100 lbs. 1, 2 bu.
Starch (corn)	2-5-10-25-50-100 lbs.
Sugar (refined cane, beet)	2-5-10-25-50-100 lbs.

<sup>1</sup> "Flour (milled wheat)" means any flour product produced by milling wheat, including blends of wheat flours and bleached, bromated, enriched, phosphated, and self-rising flours, but excluding durum wheat products (semolina), farina, pancake flour, and cake flour.

<sup>2</sup> Additional sizes are permitted as follows: 34 bu. for hybrid seed corn; 3 bu. for cotton seed.

(c) *Exceptions.* The size restrictions of paragraph (b) above shall not apply to the manufacture of paper shipping sacks which are:

(1) To be exported, empty, by the sack manufacturer.

(2) Ordered by a user for packaging any listed commodity to be exported by him, provided the sack manufacturer receives from the user a statement on the purchase order that the sacks ordered for the packing of the listed commodities are for export.

(3) Manufactured to meet the packaging specifications of and for delivery to, or for the account of, the Army, Navy, Maritime Commission, War Shipping Administration, or any agency procuring for delivery pursuant to the Act of Congress of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(4) Of the container or overslip types of sacks.

(d) [Deleted, Oct. 27, 1943]

#### APPENDIX A

##### AGRICULTURAL PRODUCTS

NOTE: Appendix A added Aug. 8, 1944.

Alfalfa meal, bulk, 25 lbs. or more.

Apples fresh or dry, bulk, 25 lbs. or more.

Baking powder, bulk, 25 lbs. or more.

Barley, bulk, 25 lbs. or more.

Beans and peas—Not less than 50 lbs. when packed in container shipping sacks.  
 Beet pulp, bulk, 25 lbs. or more.  
 Blood, bulk, 25 lbs. or more.  
 Candy (export liners only), bulk, 25 lbs. or more.

Cereals, bulk, 25 lbs. or more.  
 Cigars and cigarettes (export liners only), bulk, 25 lbs. or more.

Coco, bulk, 25 lbs. or more.  
 Cocoa, bulk, 25 lbs. or more.  
 Coffee, bulk, 25 lbs. or more.  
 Copra meal, bulk, 25 lbs. or more.  
 Corn-dry, bulk, 25 lbs. or more.  
 Corn flour cereal binder, bulk, 25 lbs. or more.

Corn meal—Not less than 50 lbs. when packed in container shipping sacks.  
 Corn sugar, bulk, 25 lbs. or more.  
 Cotton seed, bulk, 25 lbs. or more.  
 Cottonseed meal, cake and hulls, bulk, 25 lbs. or more.

Distillers dried grains and solubles, bulk, 25 lbs. or more.

Dough improver, bulk, 25 lbs. or more.  
 Doughnut mix, bulk, 25 lbs. or more.  
 Fat, hard, bulk, 25 lbs. or more.

Feed or food:  
 Pet—Not less than 50 lbs. when packed in container shipping sacks.  
 Livestock and poultry—Not less than 50 lbs. when packed in container shipping sacks.

Mineral—Not less than 50 lbs. when packed in container shipping sacks.

Oyster shell grits—Not less than 50 lbs. when packed in container shipping sacks.

Flour—Not less than 50 lbs. when packed in container shipping sacks.

Goldenrod, bulk, 25 lbs. or more.  
 Linseed meal, bulk, 25 lbs. or more.

Malt dextrine, bulk, 25 lbs. or more.  
 Malt syrup, dried, bulk, 25 lbs. or more.

Mazein, bulk, 25 lbs. or more.  
 Meal, cracker—Not less than 50 lbs. when packed in container shipping sacks.

Meal, fish—Not less than 50 lbs. when packed in container shipping sacks.

Milk, dried and powdered, bulk, 25 lbs. or more.

Molasses, dry, bulk, 25 lbs. or more.  
 Orange pulp, bulk, 25 lbs. or more.

Peanuts, shelled, bulk, 25 lbs. or more.  
 Peanut meal, bulk, 25 lbs. or more.

Peat, bulk, 25 lbs. or more.  
 Potatoes—Not less than 50 lbs. when packed in container shipping sacks.

Rice—Not less than 50 lbs. when packed in container shipping sacks.

Seeds—Not less than 50 lbs. when packed in container shipping sacks.

Soap, industrial, bulk, 50 lbs. or more.  
 Soup powder, bulk, 25 lbs. or more.

Soya bean flour and meal, bulk, 25 lbs. or more.

Soya milk, bulk, 25 lbs. or more.  
 Spices, bulk, 25 lbs. or more.

Starch—Not less than 50 lbs. when packed in container shipping sacks.

Stearic acid, bulk, 25 lbs. or more.  
 Stearine, bulk, 25 lbs. or more.

Sugar—Not less than 60 lbs. when packed in container shipping sacks.  
 Vegetables, dehydrated.

#### BUILDING MATERIALS

Calsomine, bulk, 5 lbs. or more.

Cement, bulk:

Portland.  
 High early.  
 White portland.  
 Oil well.  
 Insulating.  
 Plastic.  
 Waterproof.  
 Masonry.

Glass wool, bulk, 25 lbs. or more.  
 Gypsum, bulk, 2 lbs. or more.

Masonry mortars, bulk, 25 lbs. or more.  
 Mineral wool, bulk, 25 lbs. or more.  
 Mortar, bulk, 25 lbs. or more.  
 Mortar mix, bulk, 25 lbs. or more.  
 Plaster, bulk, 2 lbs. or more.  
 Plaster of Paris, bulk, 2 lbs. or more.  
 Stucco, bulk, 25 lbs. or more.  
 Whitewash, bulk, 5 lbs. or more.

#### CHEMICALS AND PIGMENTS

Alpha flocc.  
 Alpha protein.  
 Activated alum.  
 Activated carbon.  
 Agar-agar.  
 Alum.  
 Aluminum hydrate.  
 Aluminum salts.  
 Aluminum stearate.  
 Ammonium salts.  
 Bark, tanning.  
 Basic slag.  
 Bicarbonate of soda (sodium bicarbonate).  
 Bichromate of soda.  
 Bone black.  
 Borax.  
 Boric acid.  
 Calcium arsenate.  
 Calcium carbide.  
 Calcium salts.  
 Calcium silicate.  
 Carbon black.  
 Casein.  
 Catalysts.  
 Charcoal.  
 Citric acid.  
 Colors.  
 Copper sulfate.  
 Cupric chloride.  
 Cyanamid.  
 Detergents, alkaline.  
 Disinfectants and germicides.  
 Drugs.  
 Dye intermediate.  
 Ferric sulfate.  
 Ferrous sulfate.  
 Fertilizer, including super phosphate.  
 Fire extinguisher charger.  
 Flux.  
 Gums, natural and synthetic.  
 Hexachlorethane.  
 Insecticides and fungicides.  
 Iron oxide.  
 Kelp.  
 Lead arsenate.  
 Lead silicate.  
 Lead sulfate.  
 Lime, (hydrated).  
 Lime, (quick).  
 Limestone.  
 Lithopone.  
 Magnesium salts.  
 Manganese salts.  
 Moulding material.  
 Naphthalene.  
 Paint.  
 Phthalic anhydride.  
 Pigments.  
 Pitch.  
 Plaster of Paris.  
 Potash salts.  
 Quebracho.  
 Resins, natural and synthetic.  
 Riboflavin.  
 Rosin size.  
 Rubber accelerators.  
 Salt (sodium chloride).  
 Silica gel, silicic acid.  
 Smoke mix.  
 Sodium salts.  
 Strontium carbonate.  
 Sulfate—lead.  
 Sulfur.  
 Tanning extracts.  
 Thermit.  
 Titanium dioxide.  
 TNT.  
 Ultramarine blue.  
 Urea.  
 White lead.

Whiting (Ca Co<sub>3</sub>).  
 Zinc borate.  
 Zinc sulphate.  
 Zirconium salts.

#### MINERALS

Abrasives, bulk, 25 lbs. or more.  
 Alluvial silt, bulk, 25 lbs. or more.  
 Aluminum alloys, bulk, 25 lbs. or more.  
 Aluminum flake, bulk, 25 lbs. or more.  
 Aluminum magnesium, bulk, 25 lbs. or more.  
 Alumite, bulk, 25 lbs. or more.  
 Amijel, bulk, 25 lbs. or more.  
 Antimony oxide, bulk, 25 lbs. or more.  
 Aplite rock, bulk, 25 lbs. or more.  
 Asbestos, bulk, 25 lbs. or more.  
 Asphalt filler, bulk, 25 lbs. or more.  
 Barytes and other barium products, bulk, 25 lbs. or more.  
 Bauxite, bulk, 25 lbs. or more.  
 Bindarene flour, bulk, 25 lbs. or more.  
 Carbonettes, bulk, 25 lbs. or more.  
 Cement, carbide, bulk, 25 lbs. or more.  
 Cement, refractory, bulk, 25 lbs. or more.  
 Cement, silica, bulk, 25 lbs. or more.  
 Chrome ore and chromite, bulk, 25 lbs. or more.  
 Clay, fire, bulk, 25 lbs. or more.  
 Clay and talc, bulk, 25 lbs. or more.  
 Core compound, bulk, 25 lbs. or more.  
 Cryolite, bulk, 25 lbs. or more.  
 Cyanite (kyanite), bulk, 25 lbs. or more.  
 Diatomaceous earth, bulk, 25 lbs. or more.  
 Drilling mud, bulk, 25 lbs. or more.  
 Feldspar, bulk, 25 lbs. or more.  
 Ferroalloys and alloying metals, bulk, 25 lbs. or more.  
 Flint, bulk, 25 lbs. or more.  
 Fluorspar, bulk, 25 lbs. or more.  
 Frit, bulk, 25 lbs. or more.  
 Glaze spar, bulk, 25 lbs. or more.  
 Graphite, bulk, 25 lbs. or more.  
 Magnesite, bulk, 25 lbs. or more.  
 Magnesium oxide, bulk, 25 lbs. or more.  
 Magnesium, bulk, 25 lbs. or more.  
 Magnesol, bulk, 25 lbs. or more.  
 Manganese ore, bulk, 25 lbs. or more.  
 Mica, bulk, 25 lbs. or more.  
 Nickel salts, bulk, 25 lbs. or more.  
 Pumice, bulk, 25 lbs. or more.  
 Pumicite, bulk, 25 lbs. or more.  
 Pyrophyllite, bulk, 25 lbs. or more.  
 Quartz, bulk, 25 lbs. or more.  
 Roofing granules, bulk, 25 lbs. or more.  
 Silica, bulk, 25 lbs. or more.  
 Silica flour, bulk, 25 lbs. or more.  
 Slate flour (dust or granules), bulk, 25 lbs. or more.  
 Soapstone, bulk, 25 lbs. or more.  
 Spar, bulk, 25 lbs. or more.  
 Sprayed asbestos, bulk, 25 lbs. or more.  
 Tungsten ore, bulk, 25 lbs. or more.

#### MISCELLANEOUS

Activated sponge, bulk, 25 lbs. or more.  
 Aluminum powder, bulk, 25 lbs. or more.  
 Antimony oxide, bulk, 25 lbs. or more.  
 Asphalt, bulk, 25 lbs. or more.  
 Bags, empty.  
 Binder twine.  
 Cadmium dust, bulk, 25 lbs. or more.  
 Coal.  
 Coke.  
 Copper dust, bulk, 25 lbs. or more.  
 Cork, bulk, 25 lbs. or more.  
 Corn cob meal, bran and flakes, bulk, 25 lbs. or more.  
 Dry ice.  
 Emery.  
 Ferro manganese, bulk, 25 lbs. or more.  
 Fire clay, bulk, 25 lbs. or more.  
 Glass globules, bulk, 25 lbs. or more.  
 Glues and pastes, dry.  
 Lead wool, bulk, 25 lbs. or more.  
 Metal cans, empty.  
 Rubber dust, bulk, 25 lbs. or more.  
 Rubber reclaimed, bulk, 25 lbs. or more.  
 Rubber, synthetic and guayule, bulk, 25 lbs. or more.

Seacoal, bulk, 25 lbs. or more.  
Waxes and greases, bulk, 25 lbs. or more.  
Wood flour, bulk, 25 lbs. or more.  
Zinc oxide, bulk, 25 lbs. or more.

#### APPENDIX B—ASPHALTED, PARAFFINED AND MOISTURE-PROOF PAPER

NOTE: Appendix B added Aug. 8, 1944.

These types of paper may only be used in the manufacture of paper shipping sacks designed to package the following products:

NOTE: Asphalted, paraffined and moisture-proof papers may be used in any paper shipping sack used for the shipment of any commodity by or to the Army, Navy, Maritime Commission and War Shipping Administration for either domestic or export shipment. The use of these papers is permitted in paper shipping sacks used to ship commodities for commercial export.

These papers may be used by Foreign Economic Administration in any empty shipping sack shipped by Foreign Economic Administration to or for the Armed Forces of the United States. All other Foreign Economic Administration requirements for empty paper shipping sacks are subject to the restrictions of Appendix B.

Activated carbon.  
Alpha protein.  
Ammonium chloride.  
Ammonium nitrate.  
Antimony oxide.  
Asphalt.  
Baking powder.  
Bichromate of soda.  
Bindarene flour (core compound Lignin Pitch).  
Calcium arsenate.  
Calcium chloride.  
Calcium magnesium chloride.  
Calcium oxide (quicklime).  
Cement (high early, oil well, white portland, insulating, plastic, waterproof and refractory).  
Coconut shredded.  
Copper sulfate.  
Corn sugar.  
Cotton seed.  
Cupric chloride.  
Cyanamid.  
Dessert preparations—dry.  
Disinfectants and germicides.  
Di-sodium phosphate.  
Distillers dried grains and solubles.  
Dough improver.  
Doughnut mix.  
Ferric sulfate.  
Ferro manganese.  
Ferrous sulfate.  
Fertilizer.  
Fire clay.  
Insecticides and fungicides.  
Lead arsenate.  
Licorice extract (dry, powdered).  
Limestone, (ground (used for mine dust only)).  
Magnesium oxide.  
Manganese sulfate.  
Malt dextrine.  
Milk, skimmed (powdered).  
Molasses (dry, powdered).  
Monocalcium phosphate.  
Naphthalene flakes.  
Peat.  
Pectin.  
Phthalic anhydride.  
Potassium chloride.  
Potassium nitrate.  
Potatoes, dehydrated.  
Quebracho and myrobalan.  
Rosin size (hygroscopic types).  
Salt (sodium chloride).  
Smoke mix.  
Sodium fluosilicate.  
Sodium metasilicate.  
Sodium nitrate.  
Sodium sulfate (glaubers salt).  
Sodium sulfide.  
Soups.

Sugars (brown, pulverized and fine grained granulated).  
Tanning extract (dry).  
Tetro sodium pyrophosphate.  
Tri-sodium phosphate.  
Truline binder.  
Urea.  
Vegetables, dehydrated.  
Zinc sulfate.

[F. R. Doc. 44-11845; Filed, August 8, 1944; 10:59 a. m.]

#### PART 3288—PLUMBING AND HEATING EQUIPMENT

[General Limitation Order L-199 as Amended Aug. 8, 1944]

##### PLUMBING AND HEATING TANKS

§ 3288.6 General Limitation Order L-199—(a) Definitions. For the purpose of this order:

(1) "Tank" means any metal expansion tank, metal hot water storage tank and metal range boiler, if the tank or range boiler is used in hot water supply systems or in hot water space heating systems. The term does not include any tank used as an integral part of a direct fired water heater or indirect water heater, the manufacture of which is covered by Limitation Order L-185.

(2) "Hot water supply system" means any system for supplying hot water used in whole or in part for bathing, washing, cleaning, cooking or other similar purposes. The term does not include any system for supplying hot water for specialized industrial or agricultural purposes.

(3) "Hot water space heating system" means any system which is designed for the purposes of heating the interior of a building or other structure (including ships) by utilizing the heat of hot water.

(4) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

(5) "Base period" means the calendar year 1941.

(b) Use of copper, stainless steel, and monel metal in manufacture. No person shall use in the manufacture, fabrication or assembly of any tank, any copper, copper base alloy, stainless steel, or monel metal except:

(1) For repair parts;  
(2) For temperature, pressure, and vacuum safety valves;  
(3) For tank spuds or tappings.

(c) Restrictions on sizes and design of tanks. No person may fabricate, manufacture, or assemble black iron, galvanized iron, or porcelain enameled range boilers or black iron or galvanized iron expansion tanks, except in accordance with the specifications in Schedules A, B and C.

(d) Use of non-ferrous tanks for replacement. No person may deliver or install copper, copper base alloy or monel metal tanks in existing inventories except to replace a non-ferrous tank of similar capacity or larger.

(e) Restrictions on production. No person shall manufacture or assemble more tanks than his quota, which, for each calendar year, shall be determined

by the percentage indicated below of his base period unit production of the same classification of tanks. However, regardless of the number of tanks he may have produced before June 2, 1944, the quota for the period from that date through December 31, 1944 shall be 7/12 the quota for each calendar year:

	Percent
Range boilers and expansion tanks.....	70
Storage tanks.....	75

Any person may request authorization to exceed his quota by addressing a letter to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., stating his proposed additional production in units per quarter, and the War Production Board may authorize additional production on Form GA-1850, if additional production is necessary to fulfill the approved War Production Program. Where the applicant will need controlled materials in order to produce the additional equipment, the letter requesting authorization should be accompanied by an application on Form CMP-4B for the controlled materials.

(f) General exceptions. The restrictions of paragraphs (b) and (c) do not apply to the production of articles or parts not available in the producer's inventory for use in ships, boats, planes or advance bases when required by the Army, Navy, Maritime Commission, War Shipping Administration, or Coast Guard, or by rules and regulations promulgated by the Coast Guard for merchant vessels.

(g) Appeals. Any appeal from the provisions of this order shall be filed on Form WPB-1477 (formerly PD-500) with the field office of the War Production Board, for the district in which is located the plant or branch of the person filing the appeal.

(h) Communications. All communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Reference L-199.

(i) Reports. Each producer shall execute and file with the War Production Board such reports as the War Production Board may specify from time to time, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(j) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 8th day of August 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

## SCHEDULE A

BLACK IRON OR GALVANIZED RANGE BOILERS—STANDARD, EXTRA HEAVY, AND DOUBLE EXTRA HEAVY—PERMITTED SPECIFICATIONS

Inside diameter of tank	Length of shell (length of sheet—not over-all length)	Nominal capacity	Tappings pipe size	Tappings
Inches	Inches	U. S. Gals.	Inches	Number
12	30	15	1	6
12	60	30	1	6
14	60	40	1	6
18	60	66	1	6
20	60	82	1	6
24	60	120	1½	6

Construction: Welded seams only.  
Hand Holes and Manholes: None permitted.  
Inspection Tappings: None permitted.  
Tappings: Six tappings: One side tapping, 6 inches from the top edge of sheet, and one 6 inches from the bottom edge of sheet in line; two tappings in the top; one tapping in the bottom; and one tapping on the side at 180° from the line of the other two side tappings—15 gallon size tanks to have such tappings 9 inches from the bottom edge of sheet, all other size tanks to have such tapping 18 inches from the bottom edge of sheet.

## SCHEDULE B

PORCELAIN ENAMELED RANGE BOILERS—PERMITTED SIZES (NOMINAL CAPACITY)

- 30 U. S. Gallons.
- 40 U. S. Gallons.
- 52 U. S. Gallons.

## SCHEDULE C

EXPANSION TANKS—PERMITTED SPECIFICATIONS

Inside diameter	Length of shell (length of sheet—not over-all length) (inches)	Nominal capacity (U. S. gal.)
12	20	10
12	30	15
12	60	30
14	30	20
14	60	40

Construction: Welded seams only.

INTERPRETATION 1: Superseded November 22, 1943.

INTERPRETATION 2: Superseded June 2, 1944.

[F. R. Doc. 44-11846; Filed, August 8, 1944; 10:59 a. m.]

## Chapter XI—Office of Price Administration

## PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 220, Amdt. 17]

## CERTAIN RUBBER COMMODITIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 220 is amended in the following respects:

1. The following sections are amended by substituting "§§ 1315.1556, 1315.1557, 1315.1557b, or 1315.1557c" for "§§ 1315.1556 or 1315.1557" wherever the latter appear in: §§ 1315.1552 (a) (2); 1315.1558 (a); and 1315.1559 (a).

2. Section 1315.1557b is added to read as follows:

§ 1315.1557b *Maximum manufacturers' prices for elastic webbing, braid, and*

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 16689; 9 F.R. 1116, 6431, 7198.

cord—(a) *Applicability of this section.* This section, and not §§ 1315.1553 to 1315.1557, inclusive, establishes maximum prices for sales by manufacturers of elastic webbing, braid, and cord.

(b) *Maximum prices.* The maximum price for a sale of elastic webbing, braid, or cord by a manufacturer shall be the sum total of direct labor and materials costs, waste and gross margin, computed in accordance with paragraph (c).

(c) *Computation of the maximum price—(1) Direct labor costs.* Direct labor costs shall be those labor costs which were treated as such in the manufacturer's accounting system in effect on March 1, 1942, and shall be determined by multiplying the estimated number of hours of each type of labor required in the manufacture of the elastic webbing, braid, or cord being priced, by the highest wage rate in effect in the manufacturer's plant during March 1942 for that type of labor. If the manufacturer did not employ a given class of labor during March 1942, he shall use the wage rate paid during March 1942 by the nearest employer operating under comparable conditions who employed that class of labor during that period.

(2) *Direct materials costs.* Direct materials costs shall be those materials costs which were treated as such in the manufacturer's accounting system in effect on March 1, 1942, and shall be determined by multiplying the estimated quantity of each type of material required in the manufacture of the elastic webbing, braid, or cord, by the following material prices:

(i) For synthetic rubber, the manufacturer shall use the net price, not to exceed the maximum price, for the material in effect to him on the date on which he calculates his maximum price;

(ii) For all other materials, the manufacturer shall use the highest net materials prices in effect to him, or, if no price was in effect to him, the highest net materials price in effect to a purchaser of the same class as the manufacturer, during March 1942. If there was no March 1942 price of any such material, the materials cost to be used in determining the maximum price shall be the first ascertainable net price (not exceeding the maximum price) in effect to the manufacturer after March 31, 1942.

(3) *Waste.* Waste costs shall be determined by applying the same methods as were used by the manufacturer in similar production during October 1, 1941, adjusted to reflect the estimated quantity of waste in the production of the elastic webbing, braid, or cord being priced.

(4) *Gross margin.* Gross margin, other than waste, shall be calculated by the methods and rates used by the manufacturer on October 1, 1941, for his sales of elastic webbing, braid, or cord. These methods and rates shall be filed with the Office of Price Administration in accordance with the provisions of paragraph (e) of this section.

(d) *Recomputation of the maximum price.* If an elastic webbing, braid, or cord priced under paragraph (c) is produced or supplied by the manufacturer for a period of two months after being priced, its maximum price shall be redetermined by substituting actual labor

hours and actual quantity of materials for the estimated hours and estimated quantity of materials used in the original computation of the maximum price. This redetermination of the maximum price shall be made between 60 and 75 days after the manufacturer begins production of the commodity. At the time of recomputation, the redetermined maximum price, and the details of its computation, shall be reported to the Office of Price Administration. If the manufacturer's production experience during the first two months of production is inadequate to determine his costs accurately, he may request and receive approval from the Office of Price Administration, Washington, D. C., for a further period for recomputation. This request must be made at the time of the first recomputation.

(e) *Reports.* Every manufacturer subject to the provisions of this section shall file with the Office of Price Administration, Washington, D. C.:

(1) On or before August 28, 1944, the price determining methods and rates in effect in each of his plants on October 1, 1941, for the determination of gross margin on elastic webbing, braid, or cord.

(2) On or before August 28, 1944, all discounts and other allowances in effect in each of his plants on October 1, 1941, for sales of elastic webbing, braid, or cord to each class of purchaser.

(3) Within 10 days after a purchaser first agrees to buy an elastic webbing, braid, or cord, the maximum price of which must be determined under paragraph (c) of this section, a description of the elastic webbing, braid, or cord being priced, the maximum price of each such article and the calculations used in the determination of the maximum price, including the dates on which the prices and rates used in the calculations were in effect in each of his plants.

(f) *Approval of reported prices.* The manufacturer may not accept payment for any elastic webbing, braid, or cord priced under paragraph (c) until the reported price has been approved in writing by the Office of Price Administration, or until 15 days have elapsed after the mailing of the report without the Office of Price Administration objecting to the maximum price reported. Within this 15-day period, the price so reported shall be subject to adjustment by the Price Administrator. Subsequent to this 15-day period, such price shall be subject to adjustment (not to apply retroactively) at any time by the Price Administrator.

(g) *Elastic webbing, braid, or cord which cannot be priced under paragraphs (b) and (c).* The maximum price for any elastic webbing, braid, or cord which cannot be priced under paragraphs (b) and (c) of this section, shall be determined in accordance with the provisions of § 1315.1558.

3. Section 1315.1557c is added to read as follows:

§ 1315.1557c *Maximum wholesalers' prices for elastic webbing, braid, and cord—(a) Applicability.* This section establishes maximum prices for all sales by wholesalers of elastic webbing, braid, and cord.

(b) *Maximum wholesalers' prices for elastic webbing, braid, or cord which the wholesaler buys from a manufacturer—*

(1) *How the wholesaler calculates the maximum price.* The maximum price for a sale by a wholesaler of any elastic webbing, braid, or cord which the wholesaler buys from the manufacturer thereof, shall be calculated by multiplying the percentage determined in accordance with subparagraph (2) by:

(i) The wholesaler's net invoiced cost before cash discounts of the commodity, if available, not to exceed the applicable maximum price; or

(ii) If actual cost is not available, the net invoiced cost before cash discounts of the commodity as estimated by the wholesaler's supplier: *Provided*, That the wholesaler has no reason to believe that the price so estimated exceeds the maximum price.

(iii) If the cost determined under subparagraphs (i) or (ii) above is not on a delivered basis, the wholesaler shall add the actual cost of transportation to his place of business.

(2) *How the wholesaler determines the percentage which must be used in determining the maximum price.* The percentage which the wholesaler must use in determining the maximum price shall be determined as follows:

(i) The wholesaler shall first determine what elastic webbing, braid, or cord he must use in determining the percentage. This shall be the first applicable of the following which he sold or offered for sale on October 1, 1941:

(a) The elastic webbing, braid, or cord which is the same as the one being priced;

(b) The elastic webbing, braid, or cord which has the same use as the one being priced. If there are more than one which have the same use as the commodity being priced, the wholesaler shall use that one whose purchase price is nearest to the purchase price of the commodity being price. The purchase price shall be determined in accordance with subparagraph (1) above;

(c) The elastic webbing, braid, or cord whose purchase price is nearest to the purchase price of the commodity being priced. The purchase price shall be determined in accordance with subparagraph (1) above.

(ii) The wholesaler shall then determine the price at which on October 1, 1941, he was offering to sell that elastic webbing, braid, or cord to a purchaser of the same class.

(iii) The wholesaler shall then determine the percentage by dividing this selling price by the purchase price in effect to him on the date on which he established this selling price.

(3) *Reports of proposed maximum prices.* The wholesaler shall file a report with the Regional Office of the Office of Price Administration for the region in which he is located within 5 days after he first offers for sale an elastic webbing, braid, or cord, the maximum price of which must be established under paragraph (b) of this section. This report shall contain:

(i) A description of the elastic webbing, braid, or cord being priced;

(ii) The purchase price of such commodity and the name of the supplier; and

(iii) A description of the elastic webbing, braid, or cord which he must select in accordance with paragraph (b) (2) of this section for purposes of determining his percentage margin, and the reasons for the selection of this commodity.

(4) *Approval of reported prices.* The wholesaler may not accept payment for any elastic webbing, braid, or cord priced under paragraph (b) until the reported price has been approved in writing by the Office of Price Administration, or until 21 days shall have elapsed after the mailing of the report without the Office of Price Administration objecting to the maximum price reported. Within this 21-day period, the price so reported shall be subject to adjustment by the Price Administrator or the Regional Administrator. Subsequent to this 21-day period, such price shall be subject to adjustment (not to apply retroactively) at any time by the Price Administrator or the Regional Administrator. However, orders may be accepted and invoices issued at the proposed price subject to approval or adjustment by the Office of Price Administration. A notation that the price is subject to the approval of the Office of Price Administration must be made on all quotations and invoices until the proposed price is approved or adjusted. The wholesaler shall prepare and send to the customers affected corrected invoices in all cases where the price approved by the Administrator or the Regional Administrator differs from the price proposed by the wholesaler.

(c) *Wholesale maximum prices which cannot be determined under paragraph (b).* The wholesale maximum price for any elastic webbing, braid, or cord which cannot be priced under paragraph (b) above, shall be a price consistent with the level of maximum prices established by this regulation, specifically authorized by the Office of Price Administration. Prior to first offering the commodity for sale, the wholesaler shall submit to the Regional Office of the Office of Price Administration for the region in which he is located, a report applying for a specific authorization of the maximum price. The report shall contain:

(1) A description in detail of the commodity;

(2) A statement of the facts which make it necessary to price a commodity under this paragraph;

(3) A proposed pricing method and the price for the commodity determined in accordance with this method; and

(4) A statement of the reasons why the wholesaler believes that the use of this method results in prices which are in line with the level of prices established by this regulation.

The Price Administrator or any Regional Administrator may approve or disapprove, and may at any time after approval correct maximum prices proposed or established under this paragraph, so as to make them consistent with the level of maximum prices otherwise established by this regulation.

(d) *Reports of base period selling prices and purchase costs.* Every whole-

saler subject to the provisions of this section shall file with the Regional Office of the Office of Price Administration for the region in which he is located, on or before August 28, 1944:

(1) A list of the elastic webbings, braids, or cords which he was offering to sell on October 1, 1941, and the price at which he was offering to sell each on that date to each class of purchaser.

(2) The purchase price of each such elastic webbing, braid, or cord in effect to the wholesaler at the time the price listed in subparagraph (1) above was established.

4. Section 1315.1567 (d) (6) is revoked.

5. In § 1315.1567 (f), items (12) and (13) are revoked.

6. Section 1315.1567 (h) (5) is amended to read as follows:

(5) Elastic webbing, braid, and cord.

This amendment shall become effective August 14, 1944.

NOTE: All reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 8th day of August 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-11855; Filed, August 8, 1944;  
11:25 a. m.]

#### PART 1340—FUEL

[RMFR 137, Amdt. 4]

#### PETROLEUM PRODUCTS SOLD AT RETAIL ESTABLISHMENTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised Maximum Price Regulation No. 137 is amended in the following respects:

1. Section 5 (b) is amended to read as follows:

(b) *Adjustments because of Fair Trade Acts.* Maximum prices established under this regulation may be adjusted in the case of any seller at retail who shows:

1. Either that his maximum price for any commodity established under this regulation is less than the minimum price at which he was lawfully required to sell the commodity during March 1942 pursuant to the provisions of a State Fair Trade Act; or that he has been permanently enjoined by a court from selling the commodity at less than such minimum price; and also

2. That the commodity was generally sold at retail during March 1942 at prices no lower than such minimum price within the locality in which his selling establishment is located.

In such cases, the maximum price of the seller will be increased to such minimum price. Applications for adjustment

\*Copies may be obtained from the Office of Price Administration.

shall be filed in accordance with Revised Procedural Regulation No. 1.

Each Regional Administrator of the Office of Price Administration and such District Directors of the Office of Price Administration as may be designated by the appropriate Regional Administrator are hereby authorized to make adjustments or act upon applications for adjustment under this paragraph (b).

2. Section 9 (b) (6) is amended to read as follows:

(6) NEW JERSEY

(i) Within the counties of Union, Middlesex, Essex, Hudson, Bergen, and Passaic, State of New Jersey, the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil, also known as stove oil, shall be 14.0 cents per gallon.

(ii) Within the counties of Morris and Sussex, State of New Jersey, the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil, also known as stove oil, shall be 14.5 cents per gallon.

This amendment shall become effective August 14, 1944.

Issued this 8th day of August 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-11856; Filed, August 8, 1944;  
11:26 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 53<sup>1</sup> Incl. Amdts. 1-31]

FATS AND OILS

This compilation of Maximum Price Regulation 53 includes Amendment 31, effective August 14, 1944. The text added or amended by Amendment 31 is underscored.

The Administrator has deemed it necessary to establish maximum prices for fats and oils under this Maximum Price Regulation No. 53. A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.<sup>2</sup>

§ 1351.151 *Maximum prices for fats and oils.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 53 (Fats and Oils), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1351.151 Issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION NO. 53—FATS AND OILS

ARTICLE I—GENERAL PROVISIONS

- Sec.
- 1.1 Prohibition against dealing in fats and oils at prices above the maximum.
  - 1.2 Exempt sales.
  - 1.3 Exempt governmental purchases of foreign fats and oils.
  - 1.4 Application for determination of a maximum price.

<sup>1</sup> 8 F.R. 11150.

<sup>2</sup> Statements of consideration are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

- Sec.
- 1.5 Imports and exports, adjustment of maximum prices caused by variances in freight and insurance charges.
  - 1.6 Brokers' commissions paid by buyers.
  - 1.7 Adjustable pricing.
  - 1.8 Petitions for amendment.
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  - 1.10 Enforcement.
  - 1.11 Records and reports.
  - 1.12 Geographic applicability of the regulation.
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  - 1.14 Licensing.

ARTICLE II—MAXIMUM PRICES FOR FATS AND OILS FOR WHICH NO MAXIMUM PRICES IN TERMS OF DOLLARS AND CENTS ARE PROVIDED

- 2.1 Maximum prices.
- 2.2 Inclusion of transportation and other charges in maximum prices.
- 2.3 Evasion.

ARTICLE III—COTTONSEED OIL

- 3.1 Maximum prices.
- 3.2 Refined cottonseed oil produced from the 1942-1943 cotton crop and sold for industrial use.
- 3.3 Cottonseed oil futures contracts.
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ARTICLE IV—PEANUT OIL

- 4.1 Maximum prices.
- 4.2 Refined peanut oil produced from the 1942-1943 peanut crop and sold for industrial use.

ARTICLE V—SOYBEAN OIL

- 5.1 Maximum prices.
- 5.2 Refined soybean oil produced from the 1942-43 soybean crop and sold for industrial use.

ARTICLE VI—CORN OIL

- 6.1 Maximum prices.

ARTICLE VII—LINSEED OIL

- 7.1 Maximum prices.

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- 8.1 Maximum prices of domestic olive oil.
- 8.2 Differentials.
- 8.3 Maximum prices of imported olive oil.
- 8.4 Differentials.
- 8.5 Limitation.

ARTICLE IX—IMPORTED VEGETABLE OILS

- 9.1 Maximum prices.
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ARTICLE X—SHORTENING AND COOKING AND SALAD OILS

- 10.1 Maximum prices of processors.
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- 10.3 Maximum prices of brands for which maximum prices are not established in section 10.1.
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- 11.9 Definitions.
- 11.10 Denatured edible lard.
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ARTICLE XII—OLEO

- 12.1 Maximum prices.

ARTICLE XIII—WOOL GREASE

- 13.1 Maximum prices.

ARTICLE XIV—TALLOW AND GREASES

- 14.1 Maximum prices.
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ARTICLE XV—SOAPSTOCKS AND FATTY ACIDS

- 15.1 Maximum prices of raw soapstocks.
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- 16.1 Maximum prices.

ARTICLE XVII—LINSEED OIL SHORTENING AND LINSEED OIL MARGARINE

- 17.1 Maximum prices.

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- 18.1 Maximum prices of domestic tung oil (Chinawood oil).

ARTICLE XIX—OLEOMARGARINE; MAXIMUM PRICES OF PROCESSORS

- 19.1 Maximum prices.
- 19.2 Maximum prices for brands for which maximum prices have been fixed by previous orders of the OPA.
- 19.3 These maximum prices are for processors or manufacturers only.
- 19.4 Definitions.

ARTICLE I—GENERAL PROVISIONS

SECTION 1.1 *Prohibition against dealing in fats and oils at prices above the maximum.* No person shall sell, offer to sell, deliver, or transfer, and no person in the course of trade or business shall buy or receive, fats or oils at prices higher than the maximum prices, except that contracts entered into prior to December 13, 1941, providing for a higher price than the maximum prices may be carried out at the contract price. The maximum prices shall include commissions and all other charges. Lower prices than the maximum prices established by this Maximum Price Regulation No. 53 may be charged, demanded, paid, or offered.

[NOTE: Revised Supplementary Order No. 34 (8 F.R. 12404) permits, under certain conditions, the addition of extra packing expenses to maximum prices on sales to procurement agencies of the United States.]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894, 8 F.R. 1312, 3702) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

SEC. 1.2 *Exempt sales.* Sales of fats and oils products in the finished form,

sales of refined fats and oils (except coconut oil) destined for use or consumption without further processing or packing by the buyer, and sales of lard destined for human consumption without further processing are exempt from the operation of this Maximum Price Regulation No. 53, unless a maximum price for such fats or oils product, or refined fat or oil, or lard, is enumerated in terms of dollars and cents, or a method for computing a maximum price for such fats or oils product, or refined fat or oil, or lard, is set forth in Article II or any subsequent article of this regulation.

[NOTE: Supplementary Order No. 42 (8 F.R. 4968) provides that no price regulation of the Office of Price Administration shall apply to sales or deliveries of any commodity or service made to Government agencies pursuant to secret contracts or subcontracts.]

**SEC. 1.3 Exempt Governmental purchases of foreign fats and oils.** All purchases of fats and oils located in any foreign country by the United States Government or any agency thereof, or by an agent, broker or other representative purchasing for the account of the United States Government or any agency thereof, shall be exempt from the operation of this Maximum Price Regulation No. 53, whether the purchase is made directly in the foreign country or through an agent, broker or other representative of the foreign seller located in the United States. Where fats and oils located in a foreign country are purchased by an agent, broker or other representative of the United States Government or any agency thereof who has a contract to resell the fats and oils so purchased to the United States or any agency thereof, such resale shall be exempt from the operation of this Maximum Price Regulation No. 53. This provision shall have no application to purchases by the United States Government or any agency thereof of fats and oils located in the United States which have been imported into this country without a contract to resell the fats and oils so imported to the United States Government or any agency thereof.

**SEC. 1.4 Application for determination of a maximum price.** If the maximum price on a particular fat or oil covered by this Maximum Price Regulation No. 53 cannot be determined under the provisions of this Maximum Price Regulation No. 53, the affected party shall file an application with the Office of Price Administration in Washington, D. C., containing:

(a) A description of the fat or oil and showing wherein it is impossible to determine a maximum price therefor;

(b) A statement of the facts of all transactions since January 1, 1941, of the applicant and all information he may have obtained concerning transactions of others from said date in the fat or oil in question in any form or state of processing including transactions in the oil bearing material, raw product, and crude oil.

(c) (1) An itemized statement of the applicant's total cost of said fat or oil (including any manufacturing or processing costs), (2), the applicant's maximum price for that commodity presently sold by the applicant that has a maxi-

imum price presently determinable and that is most nearly similar to the fat or oil for which a maximum price is sought and (3) an itemized statement of the applicant's total cost of such most nearly similar commodity (including any manufacturing or processing costs).

Upon receipt of such application the Office of Price Administration will proceed to fix a maximum price or instruct the applicant as to the method of determining the same and for reporting the price he may determine. Any price fixed or determined under this paragraph shall be subject to adjustment at any time by the Office of Price Administration.

**SEC. 1.5 Imports and exports, adjustment of maximum prices caused by variances in freight and insurance charges.** (a) The maximum prices hereinafter established by this Maximum Price Regulation No. 53 for fats and oils shipped into the United States by ocean transportation shall include the charges prevailing on October 1, 1941, for freight, war risk insurance, and marine insurance connected with such transportation.

Increase in such charges may be added only if such charges have been actually incurred by the seller on such sale. Decreases in such charges shall be subtracted from the maximum prices hereinafter established by this Maximum Price Regulation No. 53.

(b) The maximum prices at which a person may export fats and oils for which maximum prices are established by this Maximum Price Regulation No. 53 outside the continental limits of the United States shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation<sup>3</sup> issued by the Office of Price Administration.

[Sec. 1.5 amended by Am. 26, 9 F.R. 7420, effective 7-8-44]

**SEC. 1.6 Brokers' commissions paid by buyers.** (a) Where the buyer pays a broker or other person a commission or other contingent compensation for services in bringing about, or otherwise connected with, any purchase, sale, delivery, acquisition, or other transfer of any fats or oils for which a maximum price is established by this Maximum Price Regulation No. 53, (1) the maximum total price that the buyer may pay for the fats or oils and as such commission or other contingent compensation, shall be the maximum prices for such fats or oils specified in this Maximum Price Regulation No. 53, and (2) the maximum price that the seller may receive for the fats or oils sold shall be that sum which, when added to such commission or other contingent compensation paid by the buyer, equals the maximum prices for such fats or oils specified in this Maximum Price Regulation No. 53.

(b) **Exception.** The provisions of paragraph (a) of this section 1.6 shall not apply to purchases made from the United States Government, or any state, municipal or other governmental unit, or any agencies of any of them, where the buyer customarily has paid broker's commissions or fees during the two years

<sup>3</sup> 8 F.R. 4132, 5987, 7662, 9998, 15193, 9 F.R. 1036.

preceding the month of March 1942; in such case the buyer, in addition to paying the broker's commissions or fees, may pay the seller, and the seller may receive, the maximum prices specified in this Maximum Price Regulation No. 53.

**SEC. 1.7 Adjustable pricing.** Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

**SEC. 1.8 Petitions for amendment.** Any person seeking an amendment of any provision of this Maximum Price Regulation No. 53 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.<sup>4</sup>

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665; 8 F.R. 6173, 6174) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excepting those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

**SEC. 1.9 Evasion—(a) General.** The price limitations set forth in this Maximum Price Regulation No. 53 shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery, or transfer of fats or oils, or by way of premium, commission, service, transportation or other charge, or by any other trade understanding or by any other means.

(b) **By purchasing oil-bearing materials and paying for processing.** The purchase of oil-bearing materials from a processor who is to process the oil-bearing materials for the purchaser is forbidden, if the combined cost of (1) the oil-bearing materials and (2) the processing toll exceeds the maximum price established by this Maximum Price Regulation No. 53 for the type and quantity of oil produced from the oil-bearing materials. If the meal or other by-products produced from the oil-bearing

<sup>4</sup> 9 F.R. 5791.

ing materials are to be retained by the processor, the value of the meal or other by-product retained must be considered in determining the cost of the processing toll.

SEC. 1.10 *Enforcement.* Persons violating any provision of this Maximum Price Regulation No. 53 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

SEC. 1.11 *Records and reports.* Every person making any sale of fats or oils, except sales exempted under sections 1.2 and 1.3 shall keep for inspection by the Office of Price Administration for a period of not less than one year complete and accurate records of each such sale, including the date thereof, the name of the purchaser, the price paid or received, and the grade, quality and amount sold.

Every person affected by this Maximum Price Regulation No. 53 shall submit such reports to the Office of Price Administration as it may from time to time require, subject to the approval of the Bureau of the Budget.

SEC. 1.12 *Geographic applicability of the regulation.* This Maximum Price Regulation No. 53 shall apply in, and only in, the District of Columbia and the forty-eight states of the United States.

SEC. 1.13 *Definitions.* When used in this Maximum Price Regulation No. 53, the term:

(a) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of the foregoing.

(b) "Fats and oils" means all of the raw, crude, and refined fats and oils, their by-products and derivatives, and greases, except "essential oils", mineral oils, butter, cocoa butter, and poultry fat.

[Paragraph (b) amended by Am. 18, 9 F.R. 2087, effective 2-15-44.]

(c) "Fats and oils products in the finished form" means those products the whole or substantial part of which are manufactured from fats or oils, which are sold for use or consumption without further processing and the manufacturing process of which includes more than filtering, refining, or deodorizing, or splitting, or dividing into component parts, for example, shortening, soap, paint, margarine, salad dressing, and mayonnaise.

(d) "Refined fats and oils" means those fats and oils which have been cleaned, deodorized, or purified by settling, straining, filtering, distilling, treating with chemicals, or by any other means, and which at the conclusion of the refining process do not contain any added substance other than is necessary as a preservative, for example, margarine

oil, salad oil, prime summer yellow, and/or bleachable cottonseed oil, oleo oil, and oils used for the technical and protective coating trades.

(e) In the phrase, "similar amount to a similar purchaser," the word "similar" means that amount and that type of purchaser with respect to which the same price did apply or would have applied under the seller's trade practices on October 1, 1941.

SEC. 1.14 *Licensing.* The provisions of Licensing Order No. 1<sup>1</sup> licensing all persons who makes sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Sec. 1.14 added by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

#### ARTICLE II—MAXIMUM PRICES FOR FATS AND OILS FOR WHICH NO MAXIMUM PRICES IN TERMS OF DOLLARS AND CENTS ARE PROVIDED

SEC. 2.1 *Maximum prices.* (a) The maximum price for any kind, grade or quality of fat or oil for which a maximum price is not specifically provided in any of the following articles of this Maximum Price Regulation No. 53, shall be the highest price at which the seller sold such kind of fat or oil of the same grade and quality in a similar amount to a similar purchaser on October 1, 1941, for delivery within sixty days.

(b) If the maximum price of such fat or oil cannot be determined under paragraph (a) of this section 2.1, the maximum price shall be the highest price at which the seller sold the same kind of fat or oil of a different grade or quality or in a different amount or to a different type of purchaser on October 1, 1941, for delivery within sixty days, making the necessary adjustments for differences in grade, quality, amount or type of purchaser in accordance with the seller's practice for determining price differentials existing on October 1, 1941.

(c) If the maximum price cannot be determined under either paragraphs (a) or (b) of this section 2.1, the maximum price shall be the price at which such kind of fat or oil of the same grade and quality in a similar amount to a similar purchaser was sold in the locality of the seller's shipping point on October 1, 1941, for delivery within sixty days.

(d) If the maximum price cannot be determined under paragraphs (a), (b) or (c) of this section 2.1, the maximum price shall be the price at which such kind of fat or oil of the same grade and quality in a similar amount to a similar purchaser was sold in the nearest market in which such sale was made on October 1, 1941, making adjustments for the customary differential between the price in such markets and the price in the locality of the seller's shipping point.

(e) If the maximum price determined under the above paragraphs of this sec-

tion 2.1 is less than 111 percent of the price at which the same kind of fat or oil of the same grade and quality was sold by the seller, or was sold in the locality of the seller's shipping point, or in the nearest market, as the case may be, in a similar amount and to a similar purchaser on November 26, 1941, for delivery within sixty days, the maximum price shall be 111 percent of such November 26 price.

SEC. 2.2 *Inclusion of transportation and other charges in maximum prices.* The maximum prices for both domestic and imported fats and oils determined under section 2.1 hereof, shall include at least the same absorption of transportation and other charges as were or would have been absorbed by the seller on comparable shipments to the same place of destination on October 1, 1941.

SEC. 2.3 *Evasion.* The price limitations set forth in section 2.1 hereof, shall not be evaded by making the discounts given or other terms and conditions of sale more onerous to the purchaser than those available or in effect on October 1, 1941, or by any other direct or indirect means.

#### ARTICLE III—COTTONSEED OIL

SEC. 3.1 *Maximum prices.* The maximum prices of cottonseed oil shall be the following prices:

(a) *Crude cottonseed oil.* F. o. b. mill, in tank cars in cents per pound, as follows:

California (except Los Angeles) .....	13.125
Los Angeles, California .....	13.40
Arizona .....	12.875
Illinois, North Carolina, South Carolina, Tennessee, Crittenden and Mississippi Counties, Arkansas, New Madrid and Scott Counties, Missouri, Morgan County, Alabama .....	12.75
Alabama (except Morgan County), Arkansas (except Crittenden and Mississippi Counties), Florida, Georgia, Louisiana, Mississippi, Missouri (except New Madrid and Scott Counties), New Mexico, Muskogee and Tulsa Counties, Oklahoma, Bowie, Dallas, El Paso and Tarrant Counties, Texas .....	12.625
Oklahoma (except Muskogee and Tulsa Counties), Texas (except Bowie, Dallas, El Paso and Tarrant Counties) .....	12.50

(1) These crude cottonseed oil maximum prices shall be adjusted on a 9% settlement basis as provided in Rule 142 of the 1942-1943 rules of the National Cottonseed Products Association, Inc.

(2) Where (i) crude cottonseed oil is sold and delivered to a buyer to whom it may be shipped for no more than a switching charge, and (ii) where prior to price control it was customary for such oil to take a premium when sold by a seller in that locality to a buyer located within that locality's switching limits, the maximum price shall be the prices set forth above, plus the premium that customarily prevailed in that locality on such sales prior to price control.

[Paragraph (a) amended by Am. 6, 8 F.R. 12542, effective 9-16-43.]

(b) Refined cottonseed oil and bleachable cottonseed oil stearine, produced from cottonseed obtained from the 1942-1943 cotton crop, delivered in tank cars, as follows:

(Cents per pound)

	Bleach- able cot- tonseed oil stearine	Bleach- able prime summer yellow oil	Refined bleached and unde- odorized oil	Refined deodor- ized and un- bleached oil	Cooking or de- odorized white, bleached, summer oil	Salad or winter- ized oil	Hydro- genated or mar- garine oil	High titre hy- drogen- ated oil
Albany, N. Y.	13.75	14.00	14.32	14.35	14.67	15.05	15.25	15.40
Atlanta, Ga.	13.37	13.62	13.94	13.97	14.29	14.67	14.87	15.02
Baltimore, Md.	13.66	13.91	14.23	14.26	14.58	14.96	15.16	15.31
Boston, Mass.	13.74	13.99	14.31	14.34	14.66	15.04	15.24	15.39
Buffalo, N. Y.	13.78	14.03	14.35	14.38	14.70	15.08	15.28	15.43
Charlotte, N. C.	13.49	13.74	14.06	14.09	14.41	14.79	14.99	15.14
Chattanooga, Tenn.	13.54	13.79	14.11	14.14	14.46	14.84	15.04	15.19
Chicago, Ill.	13.63	13.88	14.20	14.23	14.55	14.93	15.13	15.28
Cincinnati, Ohio	13.63	13.88	14.20	14.23	14.55	14.93	15.13	15.28
Columbus, Ohio	13.68	13.93	14.25	14.28	14.60	14.98	15.18	15.33
Cudahy, Wis.	13.65	13.90	14.22	14.25	14.57	14.95	15.15	15.30
Dallas, Tex.	13.22	13.47	13.79	13.82	14.14	14.52	14.72	14.87
Denison, Tex.	13.26	13.51	13.83	13.86	14.18	14.56	14.76	14.91
Denver, Colo.	13.68	13.93	14.25	14.28	14.60	14.98	15.18	15.33
El Paso, Tex.	13.55	13.80	14.12	14.15	14.47	14.85	15.05	15.20
Fort Worth, Tex.	13.24	13.49	13.81	13.84	14.16	14.54	14.74	14.89
Houston, Tex.	13.28	13.53	13.85	13.88	14.20	14.58	14.78	14.93
Indianapolis, Ind.	13.60	13.85	14.17	14.20	14.52	14.90	15.10	15.25
Jacksonville, Fla.	13.47	13.72	14.04	14.07	14.39	14.77	14.97	15.12
Kansas City, Mo.	13.49	13.74	14.06	14.09	14.41	14.79	14.99	15.14
Los Angeles, Calif.	13.90	14.15	14.47	14.50	14.82	15.20	15.40	15.55
Louisville, Ky.	13.59	13.84	14.16	14.19	14.51	14.89	15.09	15.24
Macon, Ga.	13.37	13.62	13.94	13.97	14.29	14.67	14.87	15.02
Memphis, Tenn.	13.39	13.64	13.96	13.99	14.31	14.69	14.89	15.04
New Orleans, La.	13.46	13.71	14.03	14.06	14.38	14.76	14.96	15.11
New York, N. Y.	13.70	13.95	14.27	14.30	14.62	15.00	15.20	15.35
Oklahoma City, Okla.	13.37	13.62	13.94	13.97	14.29	14.67	14.87	15.02
Philadelphia, Pa.	13.68	13.93	14.25	14.28	14.60	14.98	15.18	15.33
St. Louis, Mo.	13.54	13.79	14.11	14.14	14.46	14.84	15.04	15.19
San Antonio, Tex.	13.28	13.53	13.85	13.88	14.20	14.58	14.78	14.93
San Francisco, Calif.	13.60	14.15	14.47	14.50	14.82	15.20	15.40	15.55
Savannah, Ga.	13.45	13.70	14.02	14.05	14.37	14.75	14.95	15.10
Seattle, Wash.	13.90	14.15	14.47	14.50	14.82	15.20	15.40	15.55
Sherman, Tex.	13.24	13.49	13.81	13.84	14.16	14.54	14.74	14.89
Terre Haute, Ind.	13.58	13.83	14.15	14.18	14.50	14.88	15.08	15.23

(1) The usual or normal differentials, above or below these delivered prices, shall apply to all other destinations.

(2) The usual or normal differentials for grade, above or below these prices for basic grades, shall continue to apply.

(3) The usual or normal differentials for type of container shall continue to apply.

[Paragraph (b) amended by Am. 10, 8 F.R. 17227, effective 12-28-43.]

(c) Refined cottonseed oil and bleachable cottonseed oil stearine produced from cottonseed obtained from the 1943-1944 cotton crop, or any subsequent cotton crop, delivered in tankcars, as follows:

(Cents per pound)

	Bleach- able cot- tonseed oil stearine	Bleach- able prime summer yellow oil	Refined bleached and unde- odorized oil	Refined deodor- ized and un- bleached oil	Cooking or de- odorized white, bleached, summer oil	Salad or winter- ized oil	Hydro- genated or mar- garine oil	High titre hydrogen- ated oil
Albany, N. Y.	14.11	14.36	14.50	14.59	14.75	15.15	15.45	15.50
Atlanta, Ga.	13.73	13.98	14.12	14.21	14.37	14.77	15.07	15.12
Baltimore, Md.	14.02	14.27	14.41	14.50	14.66	15.06	15.36	15.41
Boston, Mass.	14.10	14.35	14.49	14.58	14.74	15.14	15.44	15.49
Buffalo, N. Y.	14.14	14.39	14.53	14.62	14.78	15.18	15.48	15.53
Charlotte, N. C.	13.85	14.10	14.24	14.33	14.49	14.89	15.19	15.24
Chattanooga, Tenn.	13.90	14.15	14.29	14.38	14.54	14.94	15.24	15.29
Chicago, Ill.	13.99	14.24	14.38	14.47	14.63	15.03	15.33	15.38
Cincinnati, Ohio	13.99	14.24	14.38	14.47	14.63	15.03	15.33	15.38
Columbus, Ohio	14.04	14.29	14.43	14.52	14.68	15.08	15.38	15.43
Cudahy, Wis.	14.01	14.26	14.40	14.49	14.65	15.05	15.35	15.40
Dallas, Tex.	13.58	13.83	13.97	14.06	14.22	14.62	14.92	15.07
Denison, Tex.	13.62	13.87	14.01	14.10	14.26	14.66	14.96	15.01
Denver, Colo.	14.04	14.29	14.43	14.52	14.68	15.08	15.38	15.43
El Paso, Tex.	13.91	14.16	14.30	14.39	14.55	14.95	15.25	15.30
Fort Worth, Tex.	13.60	13.85	13.99	14.08	14.24	14.64	14.94	14.99
Houston, Tex.	13.64	13.89	14.03	14.12	14.28	14.68	14.98	15.03
Indianapolis, Ind.	13.96	14.21	14.35	14.44	14.60	15.00	15.30	15.35
Jacksonville, Fla.	13.83	14.08	14.22	14.31	14.47	14.87	15.17	15.22
Kansas City, Mo.	13.85	14.10	14.24	14.33	14.49	14.89	15.19	15.24
Los Angeles, Calif.	14.26	14.51	14.65	14.74	14.90	15.30	15.60	15.65
Louisville, Ky.	13.95	14.20	14.34	14.43	14.59	14.99	15.29	15.34
Macon, Ga.	13.73	13.98	14.12	14.21	14.37	14.77	15.07	15.12
Memphis, Tenn.	13.75	14.00	14.14	14.23	14.39	14.79	15.09	15.14
New Orleans, La.	13.82	14.07	14.21	14.30	14.46	14.86	15.16	15.21
New York, N. Y.	14.06	14.31	14.45	14.54	14.70	15.10	15.40	15.45
Oklahoma City, Okla.	13.73	13.98	14.12	14.21	14.37	14.77	15.07	15.12
Philadelphia, Pa.	14.04	14.29	14.43	14.52	14.68	15.08	15.38	15.43
St. Louis, Mo.	13.90	14.15	14.29	14.38	14.54	14.94	15.24	15.29
San Antonio, Tex.	13.64	13.89	14.03	14.12	14.28	14.68	14.98	15.03
San Francisco, Calif.	14.26	14.51	14.65	14.74	14.90	15.30	15.60	15.65
Savannah, Ga.	13.81	14.06	14.20	14.29	14.45	14.85	15.15	15.20
Seattle, Wash.	14.26	14.51	14.65	14.74	14.90	15.30	15.60	15.65
Sherman, Tex.	13.60	13.85	13.99	14.08	14.24	14.64	14.94	14.99
Terre Haute, Ind.	13.94	14.19	14.33	14.42	14.58	14.98	15.28	15.33

(1) The usual or normal differentials, above or below these delivered prices, shall apply to all other destinations.

(2) The usual or normal differentials for grade, above or below these prices for basic grades, shall continue to apply.

(3) The usual or normal differentials for type of container shall continue to apply.

[Paragraph (c) added by Am. 10, 8 F.R. 17227, effective 12-28-43; amended by Am. 17, 9 F.R. 2020, effective 2-26-44.]

SEC. 3.2 Refined cottonseed oil produced from the 1942-1943 cotton crop and sold for industrial use. When refined cottonseed oil produced from cottonseed obtained from the 1942-1943 cotton crop is sold to be used ultimately for industrial usages and not for edible purposes, the seller may add  $\frac{1}{2}\epsilon$  per pound to the maximum prices established for such oil by section 3.1 (b) hereof.

[Sec. 3.2 amended by Am. 10, 8 F.R. 17227, effective 12-28-43.]

SEC. 3.3 Cottonseed oil futures contracts. The maximum prices established in sections 3.1 and 3.2 hereof, shall be the maximum prices for cottonseed oil futures contracts traded after May 11, 1942 on the New York Produce Exchange and on the New Orleans Cotton Exchange.

SEC. 3.4 Purchases of cottonseed oil by the Commodity Credit Corporation. The Commodity Credit Corporation is free to purchase bleachable prime summer yellow cottonseed oil at any price, whether that price is above or below the maximum price for bleachable prime summer yellow cottonseed oil established by this schedule.

## ARTICLE IV—PEANUT OIL

SEC. 4.1 Maximum prices. The maximum prices of peanut oil shall be the following prices:

(a) Crude peanut oil f. o. b. mill in tankcars:

	Cents per pound
California (except Los Angeles).....	13.50
Los Angeles, California.....	13.775
Chicago, Illinois.....	13.50
Arizona and Virginia.....	13.25
Tennessee.....	13.125
Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, New Mexico, North Carolina and South Carolina.....	13.00
Texas and Oklahoma.....	12.875

(1) These crude peanut oil maximum prices shall be adjusted on a 5 percent settlement basis as provided in Rule 142 of the 1942-1943 Rules of the National Cottonseed Products Association, Inc.

(2) The usual or normal location differentials shall continue to apply.

[Paragraph (a) amended by Am. 30, 9 F.R. 8146, effective 7-24-44]

(b) Refined peanut oil produced from the 1942-43 peanut crop—delivered in tank cars, as follows:

[Above paragraph amended by Am. 16, 9 F.R. 1882, effective 2-21-44.]

[Cents per pound]

	Refined unbleached and undeodorized	Refined bleached and undeodorized	Refined deodorized and unbleached	Deodorized white (bleached) refined peanut oil	Hydrogenated peanut margarine oil	High titre hydrogenated peanut oil
Albany, N. Y.	14.38	14.70	14.73	15.05	15.63	15.78
Atlanta, Ga.	14.00	14.32	14.35	14.67	15.25	15.40
Baltimore, Md.	14.29	14.61	14.64	14.96	15.54	15.69
Boston, Mass.	14.37	14.69	14.72	15.04	15.62	15.77
Buffalo, N. Y.	14.41	14.73	14.76	15.08	15.66	15.81
Charlotte, N. C.	14.12	14.44	14.47	14.79	15.37	15.52
Chattanooga, Tenn.	14.17	14.49	14.52	14.84	15.42	15.57
Chicago, Ill.	14.26	14.58	14.61	14.93	15.51	15.66
Cincinnati, Ohio	14.26	14.58	14.61	14.93	15.51	15.66
Columbus, Ohio	14.31	14.63	14.66	14.98	15.56	15.71
Cudahy, Wis.	14.28	14.60	14.63	14.95	15.53	15.68
Dallas, Tex.	13.85	14.17	14.20	14.52	15.10	15.25
Denison, Tex.	13.89	14.21	14.24	14.56	15.14	15.29
Denver, Colo.	14.31	14.63	14.66	14.98	15.56	15.71
El Paso, Tex.	14.18	14.50	14.53	14.85	15.43	15.58
Fort Worth, Tex.	13.87	14.19	14.22	14.54	15.12	15.27
Houston, Tex.	13.91	14.23	14.26	14.58	15.16	15.31
Indianapolis, Ind.	14.23	14.55	14.58	14.90	15.48	15.63
Jacksonville, Fla.	14.10	14.42	14.45	14.77	15.35	15.50
Kansas City, Mo.	14.12	14.44	14.47	14.79	15.37	15.52
Los Angeles, Calif.	14.53	14.85	14.88	15.20	15.78	15.93
Louisville, Ky.	14.22	14.54	14.57	14.89	15.47	15.62
Macon, Ga.	14.00	14.32	14.35	14.67	15.25	15.40
Memphis, Tenn.	14.02	14.34	14.37	14.69	15.27	15.42
New Orleans, La.	14.09	14.41	14.44	14.76	15.34	15.49
New York, N. Y.	14.33	14.65	14.68	15.00	15.58	15.73
Oklahoma City, Okla.	14.00	14.32	14.35	14.67	15.25	15.40
Philadelphia, Pa.	14.31	14.63	14.66	14.98	15.56	15.71
St. Louis, Mo.	14.17	14.49	14.52	14.84	15.42	15.57
San Antonio, Tex.	13.91	14.23	14.26	14.58	15.16	15.31
San Francisco, Calif.	14.53	14.85	14.88	15.20	15.78	15.93
Savannah, Ga.	14.08	14.40	14.43	14.75	15.33	15.48
Seattle, Wash.	14.53	14.85	14.88	15.20	15.78	15.93
Sherman, Tex.	13.87	14.19	14.22	14.54	15.12	15.27
Terre Haute, Ind.	14.21	14.53	14.56	14.88	15.46	15.61

(1) The usual or normal differentials above or below these delivered prices, shall apply to all other destinations.

(2) The usual or normal differentials for grade, above or below these basic grades, shall continue to apply.

(3) The usual or normal differentials for type of container shall continue to apply.

(c) Refined peanut oil produced from the 1943-44 peanut crop or any subsequent peanut crop—delivered in tank cars, as follows:

[Cents per pound]

	Refined unbleached and undeodorized	Refined bleached and undeodorized	Refined deodorized and unbleached	Deodorized white (bleached) refined peanut oil	Hydrogenated peanut margarine oil	High titre hydrogenated peanut oil
Albany, N. Y.	14.60	14.83	14.92	15.06	15.78	15.83
Atlanta, Ga.	14.31	14.45	14.54	14.68	15.40	15.45
Baltimore, Md.	14.60	14.74	14.83	14.97	15.69	15.74
Boston, Mass.	14.68	14.82	14.91	15.05	15.77	15.82
Buffalo, N. Y.	14.72	14.86	14.95	15.09	15.81	15.86
Charlotte, N. C.	14.43	14.57	14.66	14.80	15.52	15.57
Chattanooga, Tenn.	14.48	14.62	14.71	14.85	15.57	15.62
Chicago, Ill.	14.57	14.71	14.80	14.94	15.66	15.71
Cincinnati, Ohio	14.57	14.71	14.80	14.94	15.66	15.71
Columbus, Ohio	14.62	14.76	14.85	14.99	15.71	15.76
Cudahy, Wis.	14.59	14.73	14.82	14.96	15.68	15.73
Dallas, Tex.	14.16	14.30	14.39	14.53	15.25	15.30
Denison, Tex.	14.20	14.34	14.43	14.57	15.29	15.34
Denver, Colo.	14.62	14.76	14.85	14.99	15.71	15.76
El Paso, Tex.	14.49	14.63	14.72	14.86	15.58	15.63
Fort Worth, Tex.	14.18	14.32	14.41	14.55	15.27	15.32
Houston, Tex.	14.22	14.36	14.45	14.59	15.31	15.36
Indianapolis, Ind.	14.54	14.68	14.77	14.91	15.63	15.68
Jacksonville, Fla.	14.41	14.55	14.64	14.78	15.50	15.55
Kansas City, Mo.	14.43	14.57	14.66	14.80	15.52	15.57
Los Angeles, Calif.	14.84	14.98	15.07	15.21	15.93	15.98
Louisville, Ky.	14.53	14.67	14.76	14.90	15.62	15.67
Macon, Ga.	14.31	14.45	14.54	14.68	15.40	15.45
Memphis, Tenn.	14.33	14.47	14.56	14.70	15.42	15.47
New Orleans, La.	14.40	14.54	14.63	14.77	15.49	15.54
New York, N. Y.	14.64	14.78	14.87	15.01	15.73	15.78
Oklahoma City, Okla.	14.31	14.45	14.54	14.68	15.40	15.45
Philadelphia, Pa.	14.62	14.76	14.85	14.99	15.71	15.76
St. Louis, Mo.	14.48	14.62	14.71	14.85	15.57	15.62
San Antonio, Tex.	14.22	14.36	14.45	14.59	15.31	15.36
San Francisco, Calif.	14.84	14.98	15.07	15.21	15.93	15.98
Savannah, Ga.	14.39	14.53	14.62	14.76	15.48	15.53
Seattle, Wash.	14.84	14.98	15.07	15.21	15.93	15.98
Sherman, Tex.	14.18	14.32	14.41	14.55	15.27	15.32
Terre Haute, Ind.	14.52	14.66	14.75	14.89	15.61	15.66

(1) The usual or normal differentials above or below these delivered prices, shall apply to all other destinations.

(2) The usual or normal differentials for grade, above or below these basic grades, shall continue to apply.

(3) The usual or normal differentials for type of container shall continue to apply.

[Paragraph (c) added by Am. 16, 9 F.R. 1882, effective 2-21-44.]

SEC. 4.2 Refined peanut oil produced from the 1942-1943 peanut crop and sold for industrial use. When refined peanut oil produced from the 1942-1943 peanut crop is sold to be used ultimately for industrial usages and not for edible purposes, the seller may add ½ cent per pound to the maximum prices established for such oil by section 4.1 (b) hereof.

[Sec. 4.2 amended by Am. 16, 9 F.R. 1882, effective 2-21-44.]

## ARTICLE V—SOYBEAN OIL

SEC. 5.1 Maximum prices. The maximum prices of soybean oil shall be the following prices:

(a) Crude soybean oil—in tank cars:

	Cents per pound
F. o. b. mills located in:	
California, Oregon and Washington.	12.50
Arizona	12.125
Edgewater, New Jersey; Houston, Texas; New Orleans, Louisiana; Savannah, Georgia	12.00
Michigan, New Jersey (except Edgewater), New Mexico, New York, North Carolina, Ohio, Pennsylvania, Virginia	11.875
Alabama, Arkansas, Florida, Georgia (except Savannah), Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana (except New Orleans), Minnesota, Mississippi, Missouri, Nebraska, Oklahoma, South Carolina, Tennessee, Texas (except Houston), Wisconsin	11.75

[Table amended by Am. 14, 9 F.R. 1522, effective 2-11-44.]

(1) The maximum price of crude soybean oil that does not meet the standard specifications set forth in Rule 102 of the Year Book and Trading Rules 1941-1942 of the National Soy Bean Processors Association, is the price set forth above, less the allowances provided in said Rule 102 for crude soybean oil of the kind and quality being delivered.

(b) Refined soybean oil produced from the 1942-43 soybean crop—in tank cars, basis f. o. b. Decatur, Illinois:

[Above paragraph amended by Am. 13, 9 F.R. 1054, effective 2-2-44.]

(a) *Raw linseed oil and linseed oil products, delivered in Zone 1. Linseed oil and linseed oil products, in tank cars, delivered in Zone 1, as follows:*

Linseed oil	Color	Acid value	Iodine value	Sapon value	Spec. gravity	Viscosity	Cents per pound
GRINDING OILS							
Raw plus 10% bodied oil	11-13	4 max.	170-190	188-196	.931-.935	A	14.5
Containing organic superoxide	10-13	2-4	165-187	189-198	.934-.937	A-B	14.5
Semi-refined and bleached varnish and grinding oil	9-11	1-4	170-190	188-196	.931-.936	A	15.0
Mechanically refined grinding oil (no chemicals used)	4-8	2-5	170-190	188-196	.931-.935	A	15.5
Mechanically refined + 10% polymerized oil	4-7	1-4	170-190	188-196	.931-.935	A	15.5
Alkali refined grinding oil	6-7	2-5	165-180	192-206	.934-.944	C-D	15.5
Acid refined grinding oil	6-7	2-4	170-190	188-196	.931-.935	A	15.5
Acid refined grinding oil	6-7	3-6	170-190	188-196	.931-.935	A	15.5
Acid refined grinding oil	6-7	8-12	170-190	188-196	.930-.935	A	15.5
Acid refined grinding oil	6-7	12-16	170-190	188-196	.930-.935	A	15.5
VARNISH OILS							
Dispersed-byera oil	10-14	2-9	170-190	188-196	.931-.935	A	15.0
Semi-refined varnish and grinding	10-14	1-5	170-190	188-196	.931-.935	A	15.0
Alkali refined, not refrigerated	4-7	0-0.6	170-190	188-196	.931-.935	A	15.5
Alkali refined, neutral-refrigerated	5-6	0-0.3	170-190	188-196	.931-.934	A	15.7
Alkali refined, neutral-refrigerated catalyst	5-6	0-0.4	170-190	188-196	.931-.935	A	15.7
Alkali refined, refrigerated	5-6	2-4	170-190	188-196	.931-.935	A	15.7
Bleached cold pressed	4-6	0.5-2.0	170-190	188-196	.931-.935	A	15.7
Alkali refined, slightly oxidized	5-6	1.5-4.0	168-185	190-202	.940-.945	C-E	15.7
Slightly oxidized raw	7-10	2-6	160-178	194-200	.943-.945	C-E	14.8
Semi-oxidized oil	9-12	4-6	165-175	192-198	.940-.945	B-D	14.9
BOILED OILS							
Raw driers bodied oil	11-13	3-6	165-190	188-196	.934-.941	B	14.9
Old style bodied	12-18	5-7.5	165-185	189-196	.935-.942	B-C	14.9
Slightly oxidized raw driers	12-18	3-7	165-185	189-196	.935-.942	B	15.1
Raw Cobalt drier	13-16	3-6	168-190	188-196	.931-.940	A	15.3
Acid refined driers	6-9	6-8	170-185	188-196	.931-.934	A	15.7
Mechanically refined + driers	5-8	2.5-5	165-190	188-196	.931-.938	A	15.7
Partially oxidized acid refined + driers	5-8	4-6	160-185	188-196	.933-.938	A	15.7
OXIDIZED OILS							
X-Z2 oxidized with and without driers	8-13	4-8	115-155	205-230	.970-.988	X-Z2	15.0
Z2-Z3 oxidized with and without driers	7-11	4-8	115-140	210-230	.980-.996	Z2-Z3	15.3
Z1-Z3 oxidized acid refined	6-8	4-12	115-140	210-230	.994-.996	Z1-Z3	15.6
Polymerized + oxidized	7-9	5-8	120-135	200-210	.994-.996	Z2-Z3	16.0
POLYMERIZED OIL							
Polymerized high acid	3-7	12-22	115-150	190-196	.945-.971	Q-Z4	18.5
Polymerized low acid	3-7	1-3	115-150	190-196	.950-.975	Polises {20-1000}	20.5
FATTY ACID							
Linseed fatty acids	10-14	180-198	175-190	194-200	.906-.914	A-	17.2
Distilled fatty acids	2-4	194-205	175-195	194-208	.906-.913	A-	19.5
MISCELLANEOUS							
Sulphur chloride treated + 50% thinner	6-8	2-4	60-70	122-132	.878-.884	A	15.5
Sulphur chloride treated + 7% thinner	7-9	4-7	110-120	200-210	.980-.984	Z-Z2	17.0
Alkali refined edible oil base	11 max.	0-3	170-190	188-196	.931-.935	A	15.5
Spencer Kellogg & Sons Inc. Linseed Oil							
Replacement Raw. 40%-50% polymerized							
linseed oil + 60%-80% raw linseed oil	8-10	4-8	140-160	190-196	.940-.960	N-P	17
Spencer Kellogg & Sons Inc. Linseed Oil							
Replacement Boiled. 40%-50% polymerized							
linseed oil + 58%-80% raw linseed oil driers	8-12	4-8	140-160	190-196	.940-.960	N-P	17.5

[Table corrected, 8 F.R. 12873; amended by Am. 4, 8 F.R. 11739, effective 8-28-43.]

(Cents per pound)

F. o. b. Decatur, Ill.	Refined unbleached and undeorozed	Refined deodorized and unbleached	Deodorized and bleached soybean oil	Winterized soybean oil	Hydrogenated margarine soybean oil	High titre hydrogenated soybean oil
	12.30	12.57	12.60	12.87	13.00	13.60

(1) The usual or normal differentials for grade, above or below these basic grades, shall continue to apply.

(2) The usual or normal differentials for type of container shall continue to apply.

(c) Refined soybean oil produced from the 1943-1944 soybean crop, or any subsequent soybean crop—in tankcars, basis f. o. b. Decatur, Illinois:

(Above paragraph amended by Am. 17, 9 F.R. 2020, effective 2-26-44.)

(Cents per pound)

F. o. b. Decatur, Ill.	Refined unbleached and undeorozed	Refined deodorized and unbleached	Deodorized and bleached soybean oil	Winterized soybean oil	Hydrogenated margarine soybean oil	High titre hydrogenated soybean oil
	12.59	12.73	12.80	12.94	13.40	13.95

(1) The usual or normal differentials for grade, above or below these basic grades, shall continue to apply.

(2) The usual or normal differentials for type of container shall continue to apply.

(Sec. 5.2 amended by Am. 13, 9 F.R. 1054, effective 2-2-44.)

#### ARTICLE VI—CORN OIL

SEC. 6.1 *Maximum prices.* The maximum prices of corn oil shall be the following prices:

(a) Crude corn oil—in tank cars:  
F. O. B. Midwestern Mills. 12.75  
(b) Refined corn oil—in tank cars, basis f. o. b. Chicago:

(Cents per pound)

F. o. b. Chicago, Ill.	Deodorized bleached corn oil	Winterized corn oil	Hydrogenated margarine corn oil	High titre hydrogenated corn oil
	14.37	14.50	14.95	15.10

#### ARTICLE VII—LINSEED OIL

(1) The usual or normal differentials for grade, above or below these basic grades, shall continue to apply.

(2) The usual or normal differentials for type of container shall continue to apply.

SEC. 7.1 *Maximum prices.* The maximum prices of the following linseed oils and linseed oil products shall be the following prices:

(1) *Discounts for prompt payment.* The above prices are before any discounts for prompt payment. Sellers shall continue to allow the same discounts for prompt payment as those they customarily allowed prior to May 21, 1943.

[Subparagraph (1) added by Am. 9, 8 F.R. 15670, effective 11-22-43; former (1), (2) and (3) redesignated (2), (3) and (4) respectively by Am. 9.]

(2) *Grade differentials.* The usual or normal differential for types or grades with specifications other than those listed above shall continue to apply.

(3) *Crushers' container and quantity differentials—(i) Returnable drums, carlots.* The maximum delivered prices of the above linseed oil products delivered by crushers in Zone 1, in returnable drums, carlot quantities, shall be the prices set forth above, plus .4¢ per pound.

(ii) *Returnable drums in less than carlot quantities—(a) Delivered by crushers in city in which seller has a warehouse.* The maximum delivered prices of the above linseed oil products delivered by crushers, in returnable drums in less than carlot quantities, in Zone 1 within the corporate limits of a city in which the seller has a warehouse, shall be the prices set forth in section 7.1 (a) above, plus the differentials hereinafter set forth for the particular quantity sold:

Differential to be added  
to specified prices  
(Cents per pound)

Quantity sold (returnable drums):	
Carlots, in more than one delivery	
of 10 drums each.....	0.6
5 to 9 drums, one delivery.....	1.0
1 to 4 drums, one delivery.....	1.4

(b) *Delivered by crushers outside city in which seller has a warehouse.* The maximum delivered prices of the above linseed oil products, delivered by crushers, in returnable drums in less than carlot quantities, in Zone 1 outside of the corporate limits of the city in which the seller's nearest warehouse is located, shall be the maximum prices provided in the preceding subparagraph hereof (section 7.1 (a) (3) (ii) (a)), plus the actual cost of transporting said linseed oil products from the seller's nearest warehouse to the buyer.

(iii) *Other containers.* When linseed oil products are sold by crushers in containers other than tank cars or returnable drums, the maximum delivered prices for such oil products in such other containers, delivered in Zone 1, shall be the tank car price specified above, plus the usual or normal differential for the type of container in which the oil is sold.

(iv) *Other quantities.* When linseed oil products are sold by crushers in quantities other than those listed in section 7.1 (a) (3) above, the usual or normal differential for the particular quantity sold shall continue to apply.

[Subparagraph (3), formerly (2), amended by Am. 5, 8 F.R. 12022, effective 9-4-43.]

(4) *Container and quantity differentials for sellers who are not crushers.* The maximum delivered prices of the above linseed oil products sold by sellers who are not crushers, shall be the tank

car prices set forth above, plus the seller's usual and normal differential for such linseed oil products when delivered in the container and quantity that is being delivered. In and only in those cases where sellers who are not crushers customarily sold on an f. o. b. basis, there may also be added the actual cost of delivery to the buyer.

[Subparagraph (4), formerly (3), added by Am. 5, 8 F.R. 12022, effective 9-4-43.]

(b) *Raw linseed oil and linseed oil products, delivered in zones 2 to 9, inclusive.* To determine his maximum delivered price for the above enumerated linseed oil products delivered in Zones 2 to 9, inclusive, the seller shall,

(1) Calculate his maximum price for such linseed oil products under the preceding paragraphs of this Article VII—(section 7.1 (a)), assuming for the purpose of such calculation that the delivery is being made in Zone 1.

(2) Add to the maximum price thus arrived at the differentials hereinafter set forth for the particular zone in which the oil actually is being delivered:

Zone:	Differentials to be added Cents per pound
2.....	0.2
3.....	.4
4.....	.6
5.....	.5
6.....	.5
7.....	.6
8.....	.5
9.....	None

(3) In those cases, and only those cases, where such linseed oil products are being delivered by crushers, in returnable drums in less than carlot quantities, within the corporate limits of the cities of Los Angeles, Calif., San Francisco, Calif., Portland, Ore., Seattle, Wash., and Spokane, Wash., add the actual cost of transporting such linseed oil product from the seller's nearest warehouse to the buyer.

The total thus arrived at shall be the seller's maximum delivered price at the place where delivery actually is made.

[Subparagraph (3) amended by Am. 5, 8 F.R. 12022, effective 9-4-43.]

(c) *Sales to agencies of the United States that require prices on an f. o. b. basis.* Where, and only where, linseed oil products are sold to any agency of the United States that specifies that bids to, and contracts with, it shall be made on an f. o. b. basis, the maximum price of such linseed oil shall be on an f. o. b. basis. The maximum price of such linseed oil product, f. o. b. producer's plant, shall be equal to the maximum delivered price of a similar linseed oil product, in similar containers, sold in similar quantities to any other purchaser in the city in which the seller has his plant, minus .3 cents per pound.

(d) *Definitions.* When used in this Article VII, the following terms shall have the following meanings:

(1) "Zone 1" means the area included in the states of Minnesota, Iowa, Missouri, Illinois and Wisconsin.

(2) "Zone 2" means the area included in the states of Michigan, Indiana, Ohio and West Virginia, in all that portion of

New York west of and including the counties of Niagara, Erie, and Cattaraugus, and in that portion of Pennsylvania west of and including the counties of McKean, Cameron, Clearfield, Cambria and Somerset.

(3) "Zone 3" means the area included in the states of Vermont, New Hampshire, Maine, Massachusetts, Rhode Island, Connecticut, New Jersey, Delaware and Maryland, in all that portion of New York east of and including the counties of Orleans, Genesee, Wyoming, Allegany, and in all that portion of Pennsylvania east of and including the counties of Potter, Clinton, Centre Blair and Bedford and in the District of Columbia.

[Subparagraph (3) amended by Am. 5, 8 F.R. 12022, effective 9-4-43.]

(4) "Zone 4" means the area included in the state of Florida, and also the following port cities: Charleston, South Carolina; Savannah, Georgia; Brunswick, Georgia, and Mobile, Alabama.

(5) "Zone 5" means the area included in the states of Kentucky, Virginia, Tennessee, North Carolina, Mississippi, Alabama (except Mobile), Georgia (except Savannah and Brunswick), and South Carolina (except Charleston).

(6) "Zone 6" means the area included in the states of Montana, North Dakota, Wyoming, South Dakota, Nebraska, Colorado and Kansas.

(7) "Zone 7" means the area included in the states of New Mexico, Oklahoma, Arkansas, Texas, and Louisiana.

(8) "Zone 8" means the area included in the states of Washington, Oregon, Idaho, Nevada, Utah and Arizona.

(9) "Zone 9" means the area included in the state of California.

#### ARTICLE VIII—OLIVE OIL

SEC. 8.1 *Maximum prices of domestic olive oil.* The maximum prices of the following described domestic olive oils shall be the following prices:

(a) *Pure pressed edible domestic olive oil, f. o. b. producer's plant in returnable drums, carlots or less than carlots, as follows:*

Percent F. F. A. (Max.):	Dollars per gallon
.50.....	4.80
1.00.....	4.70
1.41 (U. S. F.).....	4.60
1.50.....	4.575
1.75.....	4.55
2.00.....	4.50
2.25.....	4.45
2.50.....	4.40
2.75.....	4.35
3.00.....	4.30

(b) *Pure pressed domestic olive oil, f. o. b. producer's plant, in returnable drums, carlots or less than carlots, as follows:*

Percent F. F. A. (range):	Dollars per gallon
3.01 to 3.50.....	4.25
3.51 to 4.00.....	4.20
4.01 to 5.00.....	4.15
5.01 to 6.00.....	4.10
6.01 to 7.00.....	4.05
7.01 to 8.00.....	4.00
8.01 or more.....	4.00, less 12¢ for each 1% or fraction of 1% of F. F. A. over 8%.

(c) *Refined, bleached, and deodorized domestic olive oil, f. o. b. producer's*

plant, in returnable drums, carlots or less than carlots, as follows:

Percent F. F. A. (max.): Dollars per gallon  
50----- 4.75

**SEC. 8.2 Differentials.** The maximum prices of domestic olive oil when sold in the following described containers, shall be the prices set forth above for such oil in returnable drums, plus not more than, or minus at least, the differentials set forth below:

Container:	Differential
Tankcars-----	6½¢ per gallon less than olive oil in returnable drums.
Wooden barrels---	10¢ per gallon more than olive oil in returnable drums.
Drums or other metal containers holding less than 55 gallons and more than 6 gallons.	None.
Tin or other metal containers holding less than 7 gallons and more than 1 gallon.	10¢ per gallon more than olive oil in returnable drums.
Glass containers holding less than 7 gallons and more than 1 gallon.	15¢ per gallon more than olive oil in returnable drums.

**SEC. 8.3 Maximum prices of imported olive oil.** The maximum price of imported olive oil, in drums with duties and taxes paid, f. o. b. port of entry, shall be the maximum price, in returnable drums at the producer's plant, of domestic olive oil of the same F. F. A., plus 61½¢ per gallon.

**SEC. 8.4 Differentials.** The maximum price of imported olive oil when sold in the following described containers, shall be the price set forth above for such oil in drums, plus the differentials set forth below:

Container:	Differential
Drums or other metal containers holding less than 55 gallons and more than 6 gallons.	None.
Tin or other metal containers holding less than 7 gallons and more than 1 gallon.	10¢ per gallon more than such oil in drums.
Glass containers holding less than 7 gallons and more than 1 gallon.	15¢ per gallon more than such oil in drums.

**SEC. 8.5 Limitation.** The maximum prices for domestic olive oil and for imported olive oil established by this Article VIII are the maximum prices for such olive oils when sold in containers holding more than one gallon; they are not the maximum prices for such olive oils when sold in containers holding one gallon or less.

#### ARTICLE IX—IMPORTED VEGETABLE OILS

**SEC. 9.1 Maximum prices.** The maximum prices of the following oils shall be the following prices:

Imported vegetable oils, bulk, in cents per pound;

	c. i. f. New York	c. i. f. Pacific Coast ports	c. i. f. Gulf ports
Coconut oil:			
Crude, Manila-----	8.35	8.00	-----
Crude, Ceylon-----	8.85	8.50	-----
Cochin type-----	9.35	9.00	-----
	f. o. b. New York	f. o. b. Pacific Coast ports	
Refined edible coconut oil, ex tax-----	9.85	9.50	-----
	c. i. f. New York	c. i. f. Pacific Coast ports	
Palm oil—African:			
Soft, basis 12% F. F. A.-----	8.25	-----	-----
Semi, basis 3% F. F. A.-----	8.25	-----	-----
Niger, or hard, basis over 45% F. F. A.-----	8.25	-----	-----
Congo Plantation, basis 10% F. F. A.-----	8.32	-----	-----
Malayan and Sumatra, basis 5% F. F. A.-----	8.60	-----	-----
Palm kernel oil, crude-----	8.35	-----	-----
Rapeseed oil, denatured-----	11.50	11.50	11.50
Teaseed oil, crude, in drums-----	30.00	-----	-----

[Table amended by Am. 19, 9 F.R. 4200, effective 4-24-44]

(a) The above prices are for basic grades. The usual or normal differentials for grades above or below these basic grades shall continue to apply.

(b) The usual or normal differentials

for type of container shall continue to apply.

(c) The usual or normal differentials, above or below these prices, shall continue to apply for all other shipping points.

(d) Duties, processing taxes and excise taxes may be added to the above c. i. f. prices, and to the prices of refined edible coconut oil.

(e) *Container differentials for coconut oil.* The maximum price of imported coconut oil when sold in the following described containers shall be the prices set forth for such oil in bulk plus the differentials set forth below:

Quantity sold (returnable drums):	Differential to be added to bulk price (cents per pound)
Carlots-----	0.5
Carlots in more than one delivery of 10 drums each-----	0.7
5 to 9 drums, one delivery-----	1.1
1 to 4 drums, one delivery-----	1.5

If the oil is shipped in non-returnable drums, 5 cents per pound may be added to the above prices.

[Paragraph (e) added by Am. 29, 9 F.R. 7771, effective 7-17-44]

**SEC. 9.2 Maximum prices.** The maximum prices of the following oils shall be the following prices:

Imported vegetable oils, f. o. b. ports shown below, duties and taxes paid, in cents per pound.

	New York		Pacific coast ports		Gulf ports	
	Tank-cars	Drums, carlots	Tank-cars	Drums, carlots	Tank-cars	Drums, carlots
Andiroba-----		11.00				
Babassu oil-----	11.10		11.10		11.10	
Castor oil:						
No. 1-----	13.05		13.50			
No. 3-----	12.75		13.20			
Dehydrated, bodied-----	17.85					
Chia seed oil-----			24.00			
Coburne oil-----	11.10				11.10	
Coyol oil-----	11.10		11.10		11.10	
Garcia nutans oil-----				39.00		
Muru-muru oil-----	14.03				14.03	
Oiticica oil:						
Commercial grade, liquid-----	24.50		25.00		24.50	
Condensed, crude, solid-----		23.00		23.50		23.00
Ouricuri oil-----	11.10				11.10	
Patana oil-----	40.00					
Perilla oil, crude-----	24.50					
Sesame oil-----	14.30		15.15			
Tacum oil-----	12.68				12.68	
Tung oil (China wood oil)-----		39.00		39.00		39.00
Uchuba crude vegetable tallow, barrels or drums, carlots-----		8.75				8.75

[Table and preceding text amended by Am. 19, 9 F.R. 4200, effective 4-24-44; table amended by Am. 23, 9 F.R. 6452, effective 6-17-44]

(a) The above prices are for basic grades. The usual or normal differentials for grades above or below these basic grades shall continue to apply.

(b) The usual or normal differentials for type of container shall continue to apply.

(c) The usual or normal differentials, above or below these prices, shall continue to apply for all other shipping points.

(d) *Tung oil in less than carlot quantities.* Where tung oil is sold in less than carlot quantities, the seller may add to the carlot price set forth above, the dif-

ferentials hereinafter set forth for the particular quantity sold:

Quantity sold (returnable drums):	Differential to be added (cents per pound)
Carlots, in more than one delivery of 10 drums each-----	1.00
5 to 9 drums, one delivery-----	1.50
1 to 4 drums, one delivery-----	2.00

If the oil is shipped in non-returnable drums, the cost of the drums may also be added to the above prices.

[Paragraph (d) added by Am. 19, 9 F.R. 4200, effective 4-24-44]

**SEC. 9.3 Maximum prices of imported sunflower seed oil.** The maximum prices of imported sunflower seed oil, delivered in tankcars, shall be the following prices:

[Cents per pound]

	Semi-refined oil	Completely refined oil	Refined bleached and undeodorized oil	Refined deodorized and unbleached oil	Refined bleached and deodorized (cooking oil)	Salad or winterized oil	Hydrogenated or margarine oil	High titre hydrogenated oil
Albany, N. Y.	14.35	14.73	14.87	14.94	15.08	15.54	15.79	15.84
Atlanta, Ga.	13.97	14.35	14.49	14.56	14.70	15.46	15.41	15.46
Baltimore, Md.	14.26	14.64	14.78	14.85	14.99	15.45	15.70	15.75
Boston, Mass.	14.34	14.72	14.86	14.93	15.07	15.53	15.78	15.83
Buffalo, N. Y.	14.38	14.76	14.90	14.97	15.11	15.57	15.82	15.87
Charlotte, N. C.	14.09	14.47	14.61	14.68	14.82	15.28	15.53	15.58
Chattanooga, Tenn.	14.14	14.52	14.66	14.73	14.87	15.33	15.68	15.63
Chicago, Ill.	14.23	14.61	14.75	14.82	14.96	15.42	15.67	15.72
Cincinnati, Ohio	14.23	14.61	14.75	14.82	14.96	15.42	15.67	15.72
Columbus, Ohio	14.28	14.66	14.80	14.87	15.01	15.47	15.72	15.77
Cudahy, Wis.	14.25	14.63	14.77	14.84	14.98	15.44	15.69	15.74
Dallas, Tex.	13.82	14.20	14.34	14.41	14.55	15.01	15.26	15.31
Denison, Tex.	13.86	14.24	14.38	14.45	14.59	15.05	15.30	15.35
Denver, Colo.	14.28	14.66	14.80	14.87	15.01	15.47	15.72	15.77
El Paso, Tex.	14.15	14.53	14.67	14.74	14.88	15.34	15.59	15.64
Fort Worth, Tex.	13.84	14.22	14.36	14.43	14.57	15.03	15.28	15.33
Houston, Tex.	13.88	14.26	14.40	14.47	14.61	15.07	15.32	15.37
Indianapolis, Ind.	14.20	14.58	14.72	14.79	14.93	15.39	15.64	15.69
Jacksonville, Fla.	14.07	14.45	14.59	14.66	14.80	15.26	15.51	15.56
Kansas City, Mo.	14.09	14.47	14.61	14.68	14.82	15.28	15.53	15.58
Los Angeles, Calif.	14.90	14.88	15.02	15.09	15.23	15.69	15.94	15.99
Louisville, Ky.	14.19	14.57	14.71	14.78	14.92	15.38	15.63	15.68
Macon, Ga.	13.97	14.35	14.49	14.56	14.70	15.16	15.41	15.46
Memphis, Tenn.	13.99	14.37	14.51	14.58	14.72	15.18	15.43	15.48
New Orleans, La.	14.06	14.44	14.58	14.65	14.79	15.25	15.50	15.55
New York, N. Y.	14.30	14.68	14.82	14.89	15.03	15.49	15.74	15.79
Oklahoma City, Okla.	13.97	14.35	14.49	14.56	14.70	15.16	15.41	15.46
Philadelphia, Pa.	14.28	14.66	14.80	14.87	15.01	15.47	15.72	15.77
St. Louis, Mo.	14.14	14.52	14.66	14.73	14.87	15.33	15.58	15.63
San Antonio, Tex.	13.88	14.26	14.40	14.47	14.61	15.07	15.32	15.37
San Francisco, Calif.	14.50	14.88	15.02	15.09	15.23	15.69	15.94	15.99
Savannah, Ga.	14.05	14.43	14.57	14.64	14.78	15.24	15.49	15.54
Seattle, Wash.	14.50	14.88	15.02	15.09	15.23	15.69	15.94	15.99
Sherman, Tex.	13.84	14.22	14.36	14.43	14.57	15.03	15.28	15.33
Terre Haute, Ind.	14.18	14.56	14.70	14.77	14.91	15.37	15.62	15.67

(a) The maximum price of sunflower seed oil, delivered to other destinations, shall be the maximum price specified above for the oil at the point nearest the destination to which the oil is being shipped, plus or minus the differential usually and normally prevailing on cottonseed oil prices between the destination to which the oil is being shipped and the nearest point specified above.

(b) Where the sunflower seed oil is shipped in containers other than tankcars, the maximum price shall be the price set forth above, plus the differential usually or normally prevailing between the price of cottonseed oil in similar containers and the price of cottonseed oil in tankcars.

[Sec. 9.3 added by Am. 23, 9 F.R. 6452, effective 6-17-44]

#### ARTICLE X—SHORTENING AND COOKING AND SALAD OILS

SEC. 10.1 *Maximum prices of processors.* The maximum prices of processors for the following shortenings and cooking and salad oils shall be the following prices:

(a) *Standard shortening.* The maximum delivered prices of Swift's "Jewel" and "Sanco"; Armour's "Vegetole"; Lookout's "Domino"; Wilson's "Advance"; Atlantic Lard's "Royal Aster"; Procter and Gamble's "Flakewhite" and "Fluffo"; Southern's "Scoco" and "Kneedit"; South Texas' "Crustene"; Gulf and Valley's "Blue Plate"; Interstate's "Mrs. Tucker"; Lever Brothers' "Hydora" and Humko's "Humko" and all other brands of standard shortening manufactured or distributed by the processors of these brands shall be the following prices:

	North	South	Pacific coast
Drums, tierces, or fibre containers of more than 45 pounds (per pound).....	Cents 16.50	Cents 16.25	Cents 16.75
Cartons:	Dollars	Dollars	Dollars
(1) 12/4 lbs. (per case).....	\$8.10	\$8.00	\$8.20
(2) 48/1 lbs. (per case).....	8.25	8.15	8.35

[Table amended by Am. 12, 9 F.R. 795, effective 1-26-44.]

(b) *Hydrogenated shortening.* (1) The maximum delivered prices of Procter and Gamble's "Primex"; Lever Brothers' "Cove"; Southern's "Heavy Duty MFB"; Swift's "Vream"; Armour's "Kremite"; and Wilson's "Bakerite" shall be the following prices:

	North	South	Pacific coast
Drums, tierces, or fibre containers of more than 45 pounds (per pound).....	Cents 17.75	Cents 17.75	Cents 17.75

[Table amended by Am. 12, 9 F.R. 795, effective 1-26-44.]

(2) The maximum delivered prices of Procter and Gamble's "Sweetex"; Lever Brothers' "Covo Super Mix"; Southern's "Quik Blend"; Swift's "Vreamay"; Armour's "Kremor"; and Wilson's "Bakerite 140" shall be the following prices:

	North	South	Pacific coast
Drums, tierces, or fibre containers of more than 45 pounds (per pound).....	Cents 18.75	Cents 18.75	Cents 18.75

[Table amended by Am. 12, 9 F.R. 795, effective 1-26-44.]

(3) The maximum delivered prices of Lever Brothers' "Spry" and Procter and Gamble's "Crisco" shall be the following prices:

	North	South	Pacific coast
Three and six pound airtight containers (per case).....	\$7.74	\$7.74	\$7.74

(c) *Salad oil.* The maximum delivered prices of Southern's "77" and "Angela Mia"; Gulf and Valley's "Blue Plate"; Procter and Gamble's "Puritan" and "Fluffo"; Swift's "Jewel"; Armour's "Star"; Wilson's "Certified"; South Texas' "Crustene"; Interstate's "Mrs. Tucker" and Humko's "Humko" shall be the following prices:

	North	South	Pacific coast
(1) Drums (per pound).....	16.50¢	16.50¢	17.00¢
(2) 1/5 gal. can (per can).....	\$8.65	\$8.55	\$8.75
(3) 6/1 gal. can (per case).....	\$8.20	\$8.10	\$8.50

The maximum delivered prices of Southern's "Wesson Oil" shall be the following prices:

	North	South	Pacific coast
(4) 12/1 qt. cans (per case).....	\$5.40	\$5.35	\$5.39
(5) 24/1 pint cans (per case)....	5.60	5.60	5.65

(d) *Cooking oil.* The maximum delivered prices of Procter and Gamble's "Marigold"; Southern's "88"; Gulf and Valley's "Clarola"; Swift's "Golden West"; Armour's "Supreme"; Wilson's "Laurel"; South Texas' "Magnolia" and

Interstate's "White Beauty" shall be the following prices:

	North	South	Pacific coast
(1) Drums (per pound).....	16.00¢	16.00¢	16.50¢
(2) 1/5-gal. can (per can).....	\$6.45	\$6.35	\$6.55
(3) 6/1-gal. cans (per case).....	\$7.95	\$7.85	\$8.25

**SEC. 10.2. Differentials.**—(a) *Quantity.* The maximum delivered prices of hydrogenated and standard shortenings, established in section 10.1 above, are the maximum delivered prices for hydrogenated and standard shortenings when shipped in (1) carlots or (2) the quantity to which the lowest price is usually applied in the processor's published lists. When hydrogenated and standard shortenings are shipped in less than (1) carlots or (2) the quantity to which the lowest price is usually applied in the processor's published lists, the usual or normal differential for such a quantity shall continue to apply.

(b) *Quantity.* The maximum delivered prices of salad and cooking oils, established in section 10.1 above, are the maximum prices for salad and cooking oils when shipped in the quantities usually named in the processor's published lists. When salad and cooking oils are shipped in carlots on which a refining in transit privilege is applicable the usual or normal discount (if any) from the maximum prices established in the schedule shall continue to apply. When shipped in a quantity less than the quantity to which the lowest price is usually applied in the processor's published lists, the usual or normal differential over the maximum prices established in this schedule shall continue to apply.

(c) *Container.* When hydrogenated and standard shortenings and salad and cooking oils are sold in containers of different sizes from the container sizes named in section 10.1, the usual or normal differential for size of container shall continue to apply.

(d) *Cash discounts.* The maximum prices of hydrogenated and standard shortenings and salad and cooking oils, established in section 10.1, are the maximum prices before cash discounts. The usual or normal discount for the receipt of payment within the period usually specified in the processor's published lists shall continue to apply.

(e) *Area.* The maximum prices of hydrogenated and standard shortenings and salad and cooking oils, established in section 10.1, are basic prices for the three areas named (North, South, and Pacific Coast). The usual or normal differentials which have applied in the past over base prices to some points within these areas shall continue to apply.

(f) *Limitation.* The maximum prices of hydrogenated and standard shortenings and salad and cooking oils, established in this Article X are the maximum prices on sales made by processors. These prices are not the maximum prices on sales made by wholesalers and retailers.

(g) The maximum prices established in section 10.1, shall apply to sales to any person.

(h) The usual or normal differentials for type of purchaser shall continue to apply.

(i) *Branch houses and car routes.* Where a processor sells a brand of standard or hydrogenated shortening enumerated in section 10.1 hereof through a branch house or car route owned by the processor or owned by a corporation more than 50% of whose stock is owned or controlled by the processor, to a purchaser other than (1) a jobber, or (2) a wholesaler, or (3) a purchaser who buys a carlot or that quantity to which the lowest price usually is applied in the processor's published lists, or (4) a purchaser who during the years 1941 and 1942 customarily has bought in carlots or the quantity to which the lowest price usually is applied in the processor's published lists, the processor's maximum price on such sales shall be 106% of the lesser of (i) the amount that he bills his branch house or car route for the shortening so sold, or (ii) the maximum price permitted him by sections 10.1 to 10.2 (h) inclusive, for carlot shipments of the shortening so sold.

(j) *Branch houses and car routes.* Where a processor sells a brand of salad or cooking oil enumerated in section 10.1 hereof through a branch house or car route owned by the processor or owned by a corporation more than 50% of whose stock is owned or controlled by the processor, to a purchaser other than (1) a jobber, or (2) a wholesaler, or (3) a purchaser who buys a carlot or that quantity to which the lowest price usually is applied in the processor's published lists, or (4) a purchaser who during the years 1941 and 1942 customarily has bought in carlots or the quantity to which the lowest price usually is applied in the processor's published lists, the processor's maximum price on such sales shall be 110% of the lesser of (i) the amount that he bills his branch house or car route for the oil so sold, or (ii) the maximum price permitted him by sections 10.1 to 10.2 (h) inclusive, for carlot shipments of the oil so sold.

**SEC. 10.3 Maximum prices of brands for which maximum prices are not established in section 10.1.** (a) The maximum price of a brand of shortening, the maximum price of which is not established in section 10.1, shall be determined according to the provisions of the General Maximum Price Regulation<sup>9</sup> except that the period from January 16, 1942 to January 31, 1942 inclusive shall be substituted for the period of the month of March 1942 in determining the highest price which may be charged in accordance with §§ 1499.2 and 1499.3 thereof.

(b) The maximum price of a brand of salad or cooking oil, which is not specifically named in section 10.1, shall be determined according to the provisions of the General Maximum Price Regulation, except that the period from January 16, 1942 to January 31, 1942 inclusive shall be substituted for the period of the month of March 1942 in determining the highest price which may

be charged in accordance with §§ 1499.2 and 1499.3 thereof.

**SEC. 10.4 Applications for adjustment of maximum prices by processors.** If the processor of a brand of shortening, or of a brand of salad or cooking oil, the maximum price of which is not established in section 10.1, feels that his brand should command the same maximum price as those brands for which a maximum price is established in section 10.1, or if he feels that the maximum price for his brand, as computed under section 10.3, is unduly low in relation to the maximum prices of those brands the maximum prices of which are established in section 10.1, he should file an application for adjustment with the Office of Price Administration in accordance with the procedure set forth in Revised Procedural Regulation No. 1. Such application should set forth in detail the reasons why the applicant believes his brand should command the maximum price requested by the applicant in his application. The application should also set forth in detail the price relationship between the applicant's brand and one of the brands specifically named in section 10.1.

**SEC. 10.5 Sales of bulk shortening to government agencies.** On sales of standard or hydrogenated shortening in drums or tins holding 300 pounds or more, to the Army, Navy, Lend-Lease Administration, or any other government agency, the maximum price shall be the maximum price as determined under the preceding sections of this Article X, plus in the case of standard shortening, 4¢ per pound for each pound of vegetable oil contained in such standard shortening and, in the case of hydrogenated shortening, 2¢ per pound for each pound of hydrogenated shortening so sold.

[Sec. 10.5 added by Am. 12, 9 F.R. 795, effective 1-26-44. Former 10.5 redesignated 10.6 by Am. 12.]

**SEC. 10.6 Definitions.** When used in this Article X, the following terms shall have the following meanings:

(a) "Standard shortening" means a shortening which is (1) made from hardened vegetable oil or (2) made from a mixture of vegetable oil and animal fat and/or hardened marine animal oils. It must conform with the following specifications:

*Suspended matter:* The shortening must be free from any appreciable amount of suspended matter.

*Taste and odor:* The shortening must be free from rancidity, foreign odor and sourness.

*Moisture:* The moisture must not exceed 0.3% (Vacuum Oven Method, Official Agricultural Chemists Association, 6th ed., 1940, p. 423).

*Smoke point:* The shortening must withstand a temperature of 400 degrees F. without smoking.

*Stability:* The stability of the shortening must be not less than three hours (Active Oxygen Method; King, Roschen and Irwin; Oil and Soap, 10, 105, June, 1933).

*Plasticity:* The shortening must remain solid, and be plastic and workable at a temperature within the range from 70 degrees F. to 90 degrees F.

*F. F. A.:* The F. F. A. must not exceed 0.3% (Method, Official Agricultural Chemists Association, 6th ed., 1940, p. 436).

<sup>9</sup> 9 F.R. 1385, 5169.

(b) "Hydrogenated shortening" means a shortening made entirely from vegetable oils, each of which has been hydrogenated to some extent. It must conform with the following specifications:

*No free oils:* The shortening must contain no free oils.

*Suspended matter:* The shortening must be free from any appreciable amount of suspended matter.

*Taste and odor:* The shortening must be free from rancidity, foreign odor and sourness.

*Moisture:* The moisture must not exceed 0.3% (Vacuum Oven Method Official Agricultural Chemists Association, 6th ed., 1940, p. 423).

*Smoke point:* The shortening must withstand a temperature of 400 degrees F. without smoking.

*Stability:* The stability of the shortening must be not less than three hours (Active Oxygen Method; King, Roschen and Irwin; Oil and Soap 10, 105, June, 1933).

*Plasticity:* The shortening must remain solid and be plastic and workable at a temperature within the range from 70 degrees F. to 90 degrees F.

*F. F. A.:* The F. F. A. must not exceed 0.12% (Method, Official Agricultural Chemists Association, 6th ed., 1940, p. 436).

*Iodine number:* The iodine number must not exceed 80 (Hanus Method, Official Agricultural Chemists Association, 6th ed., 1940, p. 429).

(c) The term "North" includes the following states:

Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Ohio, Indiana, Michigan, Illinois, Wisconsin, Iowa, Minnesota, Nebraska, South Dakota, North Dakota, Colorado, Wyoming.

The term "South" includes the following states:

Delaware, Maryland, Washington, D. C., West Virginia, Virginia, North Carolina, South Carolina, Georgia, Florida, Kentucky, Tennessee, Alabama, Mississippi, Missouri, Arkansas, Louisiana, Kansas, Oklahoma, Texas, New Mexico.

The term "Pacific Coast" includes the following states:

Washington, Oregon, California, Montana, Idaho, Nevada, Utah, Arizona.

(d) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of the foregoing.

#### ARTICLE XI—LARD

SEC. 11.1 *Maximum prices.* The maximum prices of lard shall be the prices computed as follows:

(a) *Chicago and East St. Louis basing points area.* This area shall include that part of the continental United States east of the Mississippi River and north of the northern boundaries of Tennessee and North Carolina, except Minnesota. Chicago and East St. Louis basing points maximum prices:

(1) Loose lard 12.80 cents per pound, in tank cars, delivered within corporate limits of basing points.

(2) Base or standard commercial refined lard, 14.55 cents per pound, in tierces, delivered within corporate limits of basing points.

(i) The maximum price that may be charged by any processor for loose lard, delivered, at any community in this area outside the corporate limits of the basing points, shall be 12.80 cents per pound, plus the tank-car freight rate per pound on loose lard from the nearest basing point in the area to the community of sale. No other charges may be added to this delivered price.

(ii) The maximum price at which a processor may sell base or standard commercial refined lard in tierces, delivered, at any community in this area, outside the corporate limits of the basing points, shall be 14.55 cents per pound, plus the packing house product freight rate, tare added, between the nearest basing point and the community of sale. No other charges may be added to this delivered price.

(b) *Kansas City basing point area.* This area shall include that part of the continental United States east of the Mississippi River and south of the southern boundaries of Kentucky and Virginia. Kansas City basing point maximum prices:

(1) Loose lard, 12.55 cents per pound, in tank cars, delivered within corporate limits of Kansas City.

(2) Base or standard commercial refined lard, 14.30 cents per pound, in tierces, delivered within corporate limits of Kansas City.

(i) The maximum price that may be charged by any processor for loose lard, delivered, at any community in this area shall be 12.55 cents per pound, plus the tank-car freight rate per pound on loose lard from the basing point for this area to the community of sale. No other charges may be added to this delivered price.

(ii) The maximum price at which a processor may sell base or standard commercial refined lard in tierces, delivered, at any community in this area shall be 14.30 cents per pound, plus the packing house product freight rate, tare added, between the basing point and the community of sale. No other charges may be added to this delivered price.

(c) *Multiple basing point area.* This area shall include that part of the continental United States west of the Mississippi River and all of the State of Minnesota. Basing points shall be as follows:

*Iowa:* Cedar Rapids, Davenport, Des Moines, Dubuque, Fort Dodge, Marshalltown, Mason City, Ottumwa, Waterloo.

*Minnesota:* Albert Lea, Austin, Duluth, South St. Paul, St. Paul, Winona.

*Missouri:* Joplin, Kansas City, South St. Joseph, Springfield.

*Nebraska:* South Omaha, Omaha.

Maximum prices at each of these basing points shall be as follows:

(1) Loose lard, 12.55 cents per pound, in tank cars, delivered within corporate limits of basing points.

(2) Base or standard commercial refined lard, 14.30 cents per pound, deliv-

ered within corporate limits of basing points.

(i) The maximum price that may be charged by any processor for loose lard, delivered, at any community in this area, outside the corporate limits of the basing points, shall be 12.55 cents per pound, plus the tank-car freight rate per pound or loose lard from the nearest basing point in the area to the community of sale. No other charges may be added to this delivered price.

(ii) The maximum price at which a processor may sell base or standard commercial refined lard in tierces, delivered, at any community in this area, outside the corporate limits of the basing points, shall be 14.30 cents per pound, plus the packing house products freight rate, tare added, between the nearest basing point and the community of sale. No other charges may be added to this delivered price.

SEC. 11.2 *Quality differentials.* To determine his maximum price for lard other than loose lard or base or standard commercial refined lard in tierces, the processor should determine his maximum price for base or standard commercial refined lard in tierces, in accordance with this schedule, and to this figure add no more than, or, subtract at least the quality differentials hereinafter set forth for the appropriate type of lard, irrespective of area, quantity or type of package:

Prime steam.....	¾ cent per pound under base or standard commercial refined lard.
Rendered pork fat.....	1 cent per pound under base or standard commercial refined lard.
Refined rendered pork fat.....	¼ cent per pound under base or standard commercial refined lard.
Base or standard commercial refined lard.....	None.
Special refined hardened lard.....	¼ cent per pound over base or standard commercial refined lard.
Open kettle rendered lard.....	½ cent per pound over base or standard commercial refined lard.
Neutral lard.....	1 cent per pound over base or standard commercial refined lard.
Edible lard oil.....	1½ cents per pound over base or standard commercial refined lard.
Lard flakes.....	1½ cents per pound over base or standard commercial refined lard.
Rendered pork fat flakes.....	1½ cents per pound over rendered pork fat.
Specialty lard.....	4/10 cent per pound over base or standard commercial refined lard.
Hydrogenated lard.....	1¼ cents per pound over base or standard commercial refined lard.

[Table amended by Am. 20, 9 F.R. 5314, effective 5-22-44 and Am. 31, effective 8-14-44]

SEC. 11.3 *Container differentials.* (a) To determine his maximum price for lard sold in other than tierces, the processor should first compute his maximum price for the particular type of lard involved, in accordance with the above provisions of this schedule, than, to this figure he may add a sum equal to, but, no more

than, the differential hereinafter set forth for the appropriate type of package, irrespective of area, quantity or quality:

	Cents per lb.
Tierces	None
400 pound non returnable steel drums	None
120 pound non-returnable steel drums	None
57 pound tubs	None
65 pound hardwood tubs	1/2
50 pound tins	1/4
25 pound tins	1/2
20 pound tins	1
16 pound tins	1
20 pound wooden pails	1
8 pound tins	1
4 pound tins	1 1/4
3 pound tin or fibre containers	1 1/4
8 pound cartons	1/4
4 pound cartons	1/4
2 pound cartons	1/4
1 pound cartons	1/4

(b) If a processor sells lard in a type of package not listed in section 11.3 (a) above, his maximum price for lard sold in such type of package shall be his maximum price for the particular type of lard involved, in accordance with this schedule plus the usual or normal differential for such type of package.

Sec. 11.4 *Quantity differentials.* (a) The maximum prices for processors, established by sections 11.1 to 11.3 of this schedule, are maximum prices for carload sales of a lard commodity or combination of lard commodities where such carload is sold to one buyer and shipped in one shipment whether a through car shipment, single destination, or a stop-over joint car shipment, more than one destination.

(b) The processor's maximum price for less than carload sales shall be the processor's maximum delivered price at the community of sale, as established by section 11.1 to 11.3 of this schedule, plus 1/4 cent per pound.

(c) Section 11.4 shall apply whether the sale is made direct or through branch house or car route activity or similar form of selling, so long as such selling unit is processor-owned or operated.

Sec. 11.5 *Cash lard.* The maximum price for cash lard shall be 13.80 cents per pound, Chicago basis, and the maximum price for lard futures contracts traded on the Chicago Board of Trade shall be 13.80 cents per pound.

Sec. 11.6 *F. S. C. C. lard.* The maximum price per pound, f. o. b. shipping point, for lard sold to the Federal Surplus Commodity Corporation shall be the maximum delivered price, per pound, permitted by this schedule for carload quantities of similar lard, similarly packed, sold to other purchasers, and delivered at the point of shipment.

Sec. 11.7 *Lard flakes.* Where a Chicago processor sells lard flakes to another processor who is to use such lard flakes in the manufacture of war lard and the purchasing processor's maximum selling price on base or standard commercial refined lard, as established under this Article XI, is lower than the maximum price on base or standard commercial refined lard, as established for the corporate limits of Chicago under section 11.1 (a), the maximum price on such lard flakes shall be the maximum price on lard flakes, as established for the corporate limits of Chicago under

section 11.1 (a), plus the actual cost of freight from the seller's plant to the buyer's plant. Where the maximum price on lard flakes is computed under this section 11.7, the maximum selling price of the purchasing processor on war lard, in whose manufacture such lard flakes are used, shall be the maximum price on war lard, as established for the corporate limits of Chicago under section 11.1 (a), plus 1/8 cent per pound.

Sec. 11.8 *Lard or pork fat sold for inedible use by certain sellers.* Where an edible pork fat or lard product is sold by a seller who sold a similar pork fat or lard product prior to January 1, 1943, and who, prior to said January 1, 1943 customarily sold over 75% of his production of such pork fat or lard product for inedible use, the maximum price of such pork fat or lard product shall be:

(a) On sales of such pork fat or lard product for edible use, the maximum prices for such products set forth in this Article XI.

(b) On sales of such pork fat or lard product for inedible use, the maximum price established by Article XIV hereof for the type and grade of inedible grease that the seller designated such product as being when he sold such product for inedible use prior to January 1, 1943, or, if no such designation was then made, the maximum price established by Article XIV hereof for that type and grade of inedible grease to which the product being sold would be most similar if it were inedible.

[Sec. 11.8 added by Am. 8, 8 F.R. 15523, effective 11-17-43. Former 11.8 and 11.9 redesignated 11.9 and 11.10 respectively by Am. 8.]

Sec. 11.9 *Definitions.* When used in this Article XI, the term:

(a) "Loose lard" means lard conforming with paragraph 29, section 1, Regulation 1 of the Meat Inspection Regulations of the United States Department of Agriculture regardless of rendering method and not refined or packaged.

(b) "Prime steam lard" shall be considered the same as loose lard both as to definition and price consideration except that it shall be rendered in steam tanks.

(c) "Cash lard" means prime steam lard in tierces conforming with the requirements of paragraph 1479, pages 183-184, of the rules and regulations of Board of Trade of City of Chicago, March 8, 1941.

(d) "Rendered pork fat" means those rendered edible pork fats, regardless of rendering method, not eligible for lard as such, in accordance with paragraph 30, section 1, Regulation 1 of the Meat Inspection Regulations of the United States Department of Agriculture.

(e) "Refined rendered pork fat" means rendered pork fat, as defined above, regardless of rendering method used in processing such pork fats, refined under standard commercial practice to conform to the following specifications:

*Moisture:* Not to exceed 0.3% as tested by the vacuum oven method of the Association of Official Agricultural Chemists.

*Suspended matter:* Shall be free from appreciable amounts of suspended matter.

*F. F. A.:* Not to exceed 0.5% as tested by method of the Association of Official Agricultural Chemists.

*Taste and odor:* Shall be mild, sweet and normal.

*Stability:* Not less than three hours, as determined by active oxygen method. (King, Roschen & Irwin, Oil and Soap 10, 105, June, 1933.)

(f) "Base or standard commercial refined lard" means that kind of lard produced from loose lard, regardless of rendering method used in making the loose lard, and refined under standard commercial practice to conform to the following specifications:

*Moisture:* Not to exceed 0.3%. (Same test as above.)

*Suspended matter:* Shall be free from appreciable amounts of suspended matter.

*F. F. A.:* Not to exceed 0.5%. (Same test as above.)

*Taste and odor:* Shall be mild, sweet and normal for pure lard.

*Stability:* Not less than three hours as determined by active oxygen method.

*Plasticity:* Shall remain solid and be plastic and workable at ordinary temperatures.

(g) "Special refined hardened lard" means lard which conforms to the requirements of base or standard commercial refined lard, as above defined, with the addition of a minimum of 8% lard flakes which have a minimum titre of 57° C. and shall conform to the following specifications:

*Moisture:* Not to exceed 0.2%. (Same test as above.)

*Suspended matter:* Shall be free from appreciable amounts of suspended matter.

*F. F. A.:* Not to exceed 0.5%. (Same test as above.)

*Taste and odor:* Shall be mild, sweet and normal for pure lard.

*Stability:* Not less than three hours as determined by active oxygen method.

*Melting point:* Not less than 45° C., as tested by Wiley Method of the Association of Official Agricultural Chemists.

(h) "Open kettle rendered lard" means that kind of lard which is produced from 100% leaf fat or any mixture of leaf fat and back fat down to a minimum of 40% leaf fat, and is kettle rendered in a regular commercial manner to conform to the following specifications:

*Moisture:* Not to exceed 0.3%. (Same test as above.)

*Suspended matter:* Shall be free from appreciable amounts of suspended matter.

*F. F. A.:* Shall be less than 0.5%. (Same test as above.)

*Taste and odor:* Shall have a characteristic kettle rendered flavor.

*Stability:* Not less than five hours as determined by active oxygen method.

*Plasticity:* Shall remain solid and be plastic and workable at ordinary temperatures.

(i) "Neutral lard" means that kind of lard from fresh chilled leaf fat only, rendered at a temperature not exceeding 130° F., to conform to the following specifications:

*Moisture:* Not to exceed 0.3%. (Same test as above.)

*Suspended matter:* Shall be free from appreciable amounts of suspended matter.

*F. F. A.:* Not to exceed 0.5%. (Same test as above.)

*Taste and odor:* Shall be neutral in flavor.

*Stability:* Not less than ten hours as determined by active oxygen method.

(j) "Lard flakes" means hydrogenated lard which conforms with paragraph 29, section 1, Regulation 1 of the Meat Inspection Regulations of the United States Department of Agriculture. The titre shall not be less than 57° C. and free fatty acid shall not exceed 0.2%.

(k) "Rendered pork fat flakes" means hydrogenated rendered pork fat conforming to paragraph 30, section 1, Regulation 1 of the Meat Inspection Regulations of the United States Department of Agriculture.

(l) "Edible lard oil" means the liquid or oil portion mechanically pressed from prime steam lard that has a minimum stability of seven hours measured by the active oxygen method and that has been previously conditioned by seeding under controlled temperatures, which oil conforms to the following specifications:

**Moisture:** Not to exceed 0.3% as tested by the vacuum oven method of the Association of Official Agricultural Chemists, 6th ed., 1940, P. 423.

**Suspended matter:** Shall be free from any appreciable amount of suspended matter.

**F. F. A.:** Shall not exceed 0.5% as tested by Association of Official Agricultural Chemists, 6th ed., 1940, P. 436.

**Taste and odor:** Shall be mild, sweet, and normal for pure lard.

**Viscosity:** At 100° F., Saybolt Method, shall be not more than 200 seconds.

(m) "Tare" means 15% of the packing house product freight rate, whether carload sale or less than carload sale and regardless of package or type of lard.

(n) "Packing house product freight rate" means the packing house product freight rate, published in public tariffs for minimum 30,000 pound weight packing house products (except canned meats) or if no rate for 30,000 pound minimum weight same class is available the nearest minimum weight carload established for same class shall apply in computing maximum prices under this Article XI.

(o) **Community of sale.** (1) Except as otherwise provided in sections 11.9 (o) (2) and 11.9 (o) (3), "community of sale" means that point at which the purchaser from the processor resells the lard so purchased, regardless of the point at which actual delivery of the lard from the processor to the purchaser takes place.

[Subparagraph (1) amended by Am. 24, 9 F.R. 6817, effective 6-22-44]

(2) Where the purchaser of the lard is the owner of four or more retail stores at which the lard ultimately will be resold by him, and has the lard delivered by the seller to a warehouse for storage until he (the purchaser) reships it to his retail stores for resale, or to another warehouse for storage and subsequent reshipment to his retail stores for resale, and is unable to determine, at the time the lard is delivered by the seller to such warehouse, the particular retail stores from which the lard will be resold by him, then, in such case, and only in such case, "community of sale" means the place where the warehouse to which the lard is delivered by the seller is located.

(3) Where lard is purchased from a processor for purposes other than reselling it as lard (such as, but not limited to,

purchases for consumption, or for use in manufacturing another product, etc.), "community of sale" means the place where is located the buyer's premises in which the lard is consumed, or employed in manufacturing another product, or otherwise used.

[Subparagraph (3) amended by Am. 24, 9 F.R. 6817, effective 6-22-44.]

[Paragraph (o) amended by Am. 2, 8 F.R. 11508, effective 8-24-43 and as otherwise noted]

(p) "The maximum price delivered" means the maximum price delivered at the community of sale, as established by section 11.1 (a) (b) and (c), regardless of the method of shipment and regardless of the point at which actual delivery of the lard from the processor to the purchaser takes place. It also means the actual dollars and cents figure, as computed decimally under this Article XI, and no higher price may be charged, although the processor may adjust this maximum price downward to the next nearest eighth of a cent or lower figure, if he so desires.

(q) **Hydrogenated lard.** (1) "Hydrogenated lard" means lard, all of which has been hydrogenated to some extent, to which no anti-oxidant or preservative has been added, and which conforms at least to the following specifications:

**Stability:** Not less than 30 hours as determined by the active oxygen method.

**Smoke point:** Not less than 420° F.

**Moisture:** Not to exceed 0.01 percent.

**Plasticity:** Shall remain solid and be plastic and workable at 65-95° F.

**F. F. A.:** Not over 0.05 percent.

**Taste and odor:** Bland.

**Suspended matter:** Shall be free from appreciable amounts of suspended matter.

(2) The fact that for the purposes of, or under the regulations or rulings of any other Government agency, lard, all of which is hydrogenated to some extent, may not be described or labelled as lard, shall not prevent its being deemed to be lard within the meaning of that word as used in this Article XI. Such lard, all of which is hydrogenated to some extent, shall be deemed to be lard within the meaning of that word as it is used in this Article XI, and shall be priced as lard.

[Paragraph (q) added by Am. 20, 9 F.R. 5314, effective 5-22-44.]

(r) **Specialty lard.** (1) "Specialty lard" means lard that is bleached and deodorized, to which an approved anti-oxidant may be added, which conforms to the following specifications:

**Moisture:** Not to exceed 0.1% (same test as above).

**Suspended matter:** Shall be free from appreciable amounts of suspended matter.

**F. F. A.:** Not to exceed 0.1%.

**Taste and odor:** Shall be free from taste and odor.

**Stability:** No less than 15 hours, as determined by active oxygen method (King, Roschen and Irwin, Oil and Soap 10,105, June 1933)

**Plasticity:** Shall remain solid and be plastic and workable at 45° F.-90° F.

**Smoke point:** Not less than 420° F.

[Paragraph (r) added by Am. 31, effective 8-14-44]

**SEC. 11.10 Denatured edible lard.** Where (a) denatured edible lard is sold for use in making an inedible product, and (b) where such lard is delivered by the seller on or before the 31st day of October 1943, the maximum price of such denatured edible lard shall be the same as the maximum price set forth above for similar edible lard that is not denatured.

[Sec. 11.10, formerly 11.9 added by Am. 3, 8 F.R. 11296, effective 8-14-43]

**SEC. 11.11 Loose prime steam lard sold to processors located in basing points.** Where loose prime steam lard is sold and delivered in tankcars or tank-trucks to a processor who is located within the corporate limits of any of the above basing points, and is delivered by the seller from a plant located within the railroad switching limits of the same basing point, the seller may add to the maximum prices hereinabove set forth the railroad switching charge incurred where delivery is in tankcars, or, where delivery is in tanktrucks, an amount, per pound, not greater than the sum that would be charged, per pound, by a railroad carrier for the most comparable switching movement of a tankcar containing 60,000 pounds.

[Sec. 11.11 added by Am. 11, 9 F.R. 540, effective 1-18-44; amended by Am. 21, 9 F.R. 6232, effective 6-12-44]

**SEC. 11.12 Maximum prices are for processors and for other sellers who would otherwise have lower ceilings.** The above maximum prices are maximum prices for processors. They are also the maximum prices for any other sellers whose maximum prices, as established under any other regulation, would be less than the maximum prices hereinabove established for processors.

[Sec. 11.12 added by Am. 25, 9 F.R. 7420, effective 7-8-44]

#### ARTICLE XII—OLEO

**SEC. 12.1 Maximum prices.** The maximum prices of the following fats and oils shall be the following prices:

Oleo—Packed in used drums or barrels, f. o. b. Chicago:	Cents per pound
Extra oleo stock.....	12.75
Prime oleo stock.....	12.50
Extra oleo oil.....	13.04
Prime oleo oil.....	12.75
Prime oleo stearine.....	10.61

(a) The usual or normal differentials for grade, quantity, container and type of purchaser, above or below these prices for basic grades, shall continue to apply.

(b) The usual or normal differentials, above or below these f. o. b. Chicago prices, shall continue to apply for all other shipping points.

#### ARTICLE XIII—WOOL GREASE

**SEC. 13.1 Maximum prices.** The maximum prices of the following fats and oils shall be the following prices:

Wool grease: f. o. b. producer's plant, in returnable drums, carlots.

	Cents per pound	Cents per pound
U. S. P. lanolin, anhydrous cosmetic grade	35	
U. S. P. lanolin, pharmaceutical type	33	
U. S. P. lanolin, hydrous	32	
Technical lanolin, bleached and deodorized, ash maximum $\frac{1}{10}$ of 1%, moisture maximum $\frac{3}{4}$ of 1%, acid maximum $\frac{3}{4}$ of 1%, $1\frac{1}{2}$ % loss with petroleum ether extraction, color $3\frac{1}{2}$ A. S. T. M. standard	31	
Neutral wool grease, fully refined, acid maximum 2%, ash maximum $\frac{1}{10}$ of 1%, moisture maximum 1%	29	
Neutral wool grease, fully refined, over 2% acid, ash maximum $\frac{1}{10}$ of 1%, moisture maximum 1%	27½	
Crude centrifugal wool grease, known as dry, moisture maximum $2\frac{1}{2}$ %, ash maximum $\frac{3}{4}$ of 1%, maximum $1\frac{1}{2}$ F. F. A.	20	
Crude centrifugal wool grease, known as wet, over 5% moisture, maximum $2\frac{1}{2}$ F. F. A., not refined, anhydrous grease basis	17	
Common Degras, moisture maximum $2\frac{1}{2}$ %, $\frac{1}{4}$ to 1% ash, maximum 11% F. F. A.	12	
Common Degras, moisture maximum $2\frac{1}{2}$ %, $\frac{1}{4}$ to 1% ash, maximum 20% F. F. A.	11	

Common Degras, moisture maximum,  $2\frac{1}{2}$ %,  $\frac{1}{4}$  to 1% ash, maximum 30% F. F. A.

(a) The usual or normal differential for type of container shall continue to apply.

(b) The usual or normal differentials for grades above or below the listed grades shall continue to apply.

(c) When shipped in less than carload lots, the usual or normal premium shall continue to apply.

(d) The maximum price of an imported wool grease, duties and taxes paid, shall be the maximum price established above for the closest grade of domestic wool grease.

#### ARTICLE XIV—TALLOW AND GREASES

SEC. 14.1 *Maximum prices.* The maximum prices of the following tallow and greases shall be the following prices:

*Tallow and greases.* F. o. b. producer's plant, in tank cars or tank trucks, or in returnable or non-returnable drums, barrels, or tierces, carlots:

	Titre minimum	F. F. A. maximum	M. I. U. basis (percent)	F. A. C. maximum untreated and unbleached	Cents per pound
<b>TALLOW</b>					
Edible	41.5	1	1	5	9½
Fancy	41.5	4	1	7	8½
Choice	41	5	1	9	8½
Prime, renderers prime, prime packers, or extra	40.5	6	1	13 or 11B	8½
Special	40.5	10	1	19 or 11C	8½
No. 1	40.5	15	2	33	8½
No. 3	40.5	20	2	37	8½
No. 2	40	35	2	No color	8½
Naphtha extracted bone	40	60	3	No color	7½
<b>GREASES</b>					
Choice white	37	4	1	13 or 11B	8½
A, white	37	8	1	15	8½
B, white	36	10	2	19 or 11C	8½
Yellow	36	15	2	37	8½
House	37.5	20	2	39	8½
Brown	38	50	2	No color	7½
Fleshing and/or Glue grease No. 1	36	15	1	15	8½
Fleshing and/or Glue grease No. 2	36	40	2	21	8½
No. 1 pig skin & Pigfoot	34	2	1	9	9½
Garbage grease	34	60	3	No color	7

(a) Materials of less than 40 titre shall be deemed greases and shall be priced only on the basis of the maximum prices set forth above for greases; and materials of more than 39.9 titre shall be deemed tallow and shall be priced only on the basis of the maximum prices set forth above for tallow.

(b) Each type or grade of tallow or grease must be designated by the name customarily applied to it by the trade prior to August 1, 1942, and must be priced on the basis of the specifications prescribed in section 14.1 for such type or grade.

(c) The usual or normal differentials for grades, or grades with specifications other than those listed above, shall continue to apply. Bleaching qualities of any material, however, do not constitute any better grade, and do not justify any premium.

(d) When shipped in less than carload lots, the usual or normal premium shall continue to apply.

(e) When any of the above named tallow or greases are sold in drums,

barrels or tierces (1) to a buyer who has obtained a priority rating or priority order for such tallow or greases from the Food Distribution Administration, (2) by a seller who customarily has charged a premium for tallow or greases when sold in drums, barrels or tierces to a person engaged in a business similar to that in which the buyer is engaged, the maximum prices of such tallow or greases shall be the prices set forth above, plus the differentials hereinafter set forth for the type of container in which the tallow or greases are shipped:

Container	Differentials to be added in cents per pound
Returnable drums, barrels or tierces	¾
Non-returnable drums, barrels or tierces	1

(f) The maximum prices for sales of the above tallow and greases to the Federal Surplus Commodity Corporation, in non-returnable tierces, shall be the prices set forth in section 14.1 above, plus 1¢ per pound.

SEC. 14.2 *Imported tallow and greases.* The maximum prices of im-

ported tallow and greases, with duties and taxes paid, f. o. b. port of entry, shall be the maximum prices set forth above for the nearest domestic grade at the producer's plant.

#### ARTICLE XV—SOAPSTOCKS AND FATTY ACIDS

SEC. 15.1 *Maximum prices of raw soapstocks.* The maximum prices of the following raw soapstocks, delivered in tank cars or tank wagons, shall be the following prices:

RAW SOAPSTOCKS—BASIS 50% T. F. A.

(Cents per pound)

	New York	Chicago & Cincinnati	Los Angeles & San Francisco
Cottonseed foots	3.625	3.50	3.50
Corn foots	3.60	3.375	3.375
Soybean foots	3.50	3.375	3.375
Peanut foots	3.875	3.75	3.75

(a) Where any of the above soapstocks are delivered to other destinations, the maximum price shall be the price set forth above for the city nearest the point to which the soapstock is delivered, plus or minus the usual or normal differential that prevailed prior to price control between the point to which the soapstock is delivered and the nearest city named in the above schedule.

(b) The usual or normal differentials for grade, above or below the listed grades, shall continue to apply.

[Sec. 15.1 amended by Am. 1, 8 F.R. 11508, effective 8-24-43.]

SEC. 15.2 *Maximum prices of recovered or acidulated soapstocks.* The maximum prices of the following recovered or acidulated soapstocks, delivered in tank cars or tank wagons, shall be the following prices:

RAW OR ACIDULATED SOAPSTOCKS

(Cents per pound)

	New York	Chicago & Cincinnati	Los Angeles & San Francisco
Acidulated cottonseed foots (black grease), basis 95% T. F. A.	7.375	7.25	7.25
Corn oil, basis 95% T. F. A.	7.25	7.00	7.00
Soybean oil, basis 95% T. F. A.	7.25	7.00	7.00
Peanut oil, basis 95% T. F. A.	8.00	7.75	7.75
Coconut oil, 98% saponifiable	10.125	10.125	10.125

(a) Where any of the above soapstocks are delivered to other destinations, the maximum price shall be the price set forth above for the city nearest the point to which the soapstock is delivered, plus or minus the usual or normal differential that prevailed prior to price control between the point to which the soapstock is delivered and the nearest city named in the above schedule.

(b) The usual or normal differentials for grade, above or below the listed grades, shall continue to apply.

(c) The usual or normal differential for type of container shall continue to apply.

[Sec. 15.2 amended by Am. 1, 8 F.R. 11508, effective 8-24-43.]

SEC. 15.3 *Maximum prices of distilled fatty acids.* The maximum prices of the following distilled fatty acids shall be the following prices:

	Cents per lb. delivered, tank cars	Cents per lb. delivered, carloads, in returnable drums or nonreturnable packages
Tallow:		
East.....	12	12½
Texas and Oklahoma.....	12½	13½
West of Rockies.....	13	13½
Cottonseed, single distilled:		
East.....	11½	12
Texas and Oklahoma.....	11½	12½
West of Rockies.....	12½	13½
Cottonseed, double distilled:		
East.....	11½	12½
Texas and Oklahoma.....	12½	13
West of Rockies.....	12½	13½
Coconut, undistilled, #2 grade.....	12½	15½
Coconut, distilled, #1 grade.....	12½	16½
Coconut, triple distilled, special light color.....		16½

	Cents per lb. f. o. b. producer's plant, tank cars	Cents per lb. f. o. b. producer's plant, carloads, in returnable drums or nonreturnable packages
Soya bean oil, from foots.....	11	11½
Soya bean oil, from crude.....	15½	16½
Corn oil, from foots.....	11	11½
Peanut oil, from foots.....	11½	12

(a) When shipped in less than carload lots, the usual or normal premium shall continue to apply.

(b) The usual or normal differential for type of container shall continue to apply.

(c) The usual or normal differentials for grade above or below the listed grades shall continue to apply.

(d) The maximum prices of fractionated fatty acids shall be computed in accordance with the provisions of Article II of this Maximum Price Regulation No. 53.

SEC. 15.4 *Maximum prices of split fatty acids.* (a) Tolling charge for splitting fats and oils. The maximum toll which may be charged for splitting fats and oils shall be (in addition to the retention of the glycerin for the account of the splitter) 75c. per 100 pounds in tankcar lots for all material testing under 20 F. F. A. and \$1.00 per 100 pounds in tankcar lots for all material testing 20 F. F. A. and over. All freight shall be for the account of the owner. The normal premium for less than tankcar lots shall continue to apply.

(b) *Maximum prices for split fatty acids.* The maximum price of split fatty acids, tankcars, f. o. b. seller's plant, shall be the cost, on a tankcar basis, of the raw materials from which the split fatty acids are made, delivered the seller's plant, plus 75c. per 100 pounds for raw materials testing under 20 F. F. A., or plus \$1.00 per 100 pounds for raw materials testing 20 F. F. A. and over.

(1) When shipped in less than carload lots, the usual or normal premium

for fatty acids so shipped shall continue to apply.

(2) When shipped in containers other than tankcars, the usual or normal differential for fatty acids when shipped in such other type of container shall continue to apply.

SEC. 15.5 *Maximum prices of stearic acid and oleic acid.* The maximum prices of the following stearic acids and oleic acids shall be the following prices:

	Cents per lb. del'd east of Rockies	Cents per lb. del'd Texas and Oklahoma	Cents per lb. del'd west of Rockies
Stearic acid, carloads, in bags:			
Single pressed.....	15½	15½	16½
Double pressed.....	15½	16½	16½
Triple pressed.....	18½	19½	19½
Oleic acid:			
Tankcars.....	12½	13	13½
Carloads, in returnable drums or barrels.....	13½	13½	14½
Double distilled oleic acid:			
Carloads, in returnable drums.....	15½	16½	16½
Carloads, in special drums or barrels (packages included).....	16½	17½	17½
Hydrogenated fish oil fatty acid, 52° titre, carloads, in bags.....	14½	15½	15½

(a) When shipped in less than carload lots, the usual or normal premium shall continue to apply.

(b) The usual or normal differential for type of container shall continue to apply.

(c) The usual or normal differentials for grades above or below the listed grades shall continue to apply.

#### ARTICLE XVI—MARINE ANIMAL OILS

SEC. 16.1 *Maximum prices.* The maximum prices of the following oils shall be the following prices:

*Marine animal oils*—tank cars, all duties and taxes paid:

	Cents per pound
Whale oil, crude, No. 1, f. o. b. American ports.....	11.25
Sperm oil, crude, No. 1, f. o. b. American ports.....	7.75
Seal oil, No. 1, f. o. b. American ports.....	8.90
Menhaden, crude, f. o. b. producer's plant, Atlantic coast.....	8.90
Sardine oil, crude, f. o. b. producer's plant, Pacific coast.....	8.90
Sardine oil, hydrogenated 52°, f. o. b. producer's plant, Pacific coast.....	10.90
Light, cold pressed fish oil (Menhaden and Sardine), fair average quality, delivered.....	12.25
Herring oil, crude, f. o. b. Seattle.....	8.90

(a) The usual or normal differentials for grades, above or below those listed, shall continue to apply.

(b) The usual or normal differentials for type of container shall continue to apply.

(c) No marine animal oil shall be sold at a premium because of its vitamin content, unless such oil is purchased for use because of its vitamin content and contains more than 75 vitamin D units per

gram. If purchased for its vitamin content, it may command the usual and normal premium for such vitamin oil, which it commanded on October 1, or November 26, 1941: *Provided*, That this schedule shall not apply to any vitamin oil for which a maximum price has been or may be established by a maximum price regulation.

(d) *Sales by FDA or FSCC.* On sales of any of the above oils by the Food Distribution Administration or Federal Surplus Commodities Corporation, which oils have actually been stored by the Food Distribution Administration or Federal Surplus Commodity Corporation, there may be added to the maximum prices specified in section 16.1 above, the following storage charges:

(1) On oil stored on the East Coast, .0735¢ per pound for the first month's, or fraction of a month's, storage, plus .0275¢ per pound for each additional month's, or fraction of a month's, storage.

(2) On oil stored on the West Coast, .0750¢ per pound for the first month's, or fraction of a month's, storage plus .0250¢ per pound for each additional month's, or fraction of a month's, storage.

In determining the length of time for which the particular oil being sold has been stored, the "first-in, first-out" method of inventory accounting shall be used.

[Paragraph (d) added by Am. 15, 9 F.R. 1574, effective 2-14-44.]

#### ARTICLE XVII—LINSEED OIL SHORTENING AND LINSEED OIL MARGARINE

SEC. 17.1 *Maximum prices.* The maximum prices of linseed oil shortening and linseed oil margarine, f. o. b. producer's plant, shall be the following prices:

	Cents per pound
Linseed oil shortening (produced wholly from linseed oil) in tierces.....	19.75
Linseed oil margarine (in No. 10 tins).....	19.94

[Article XVII amended by Am. 7, 8 F.R. 12559, effective 9-11-43; Am. 22, 9 F.R. 6434, effective 6-15-44]

#### ARTICLE XVIII—DOMESTIC TUNG OIL

SEC. 18.1 *Maximum prices of domestic tung oil (Chinawood oil).* The maximum prices of domestic tung oil, f. o. b. New York, Gulf ports or Pacific Coast ports, shall be the following prices:

	Cents per pound
Tankcars.....	38.375
Returnable drums, carlots.....	39.00

(a) *Quantity differentials.* When tung oil is sold in returnable drums in less than carlot quantities, the seller may add to the carlot price set forth above, the differentials hereinafter set forth for the particular quantity sold:

	Differential to be added (cents per pound)
Quantity sold:	
Carlots, in more than one delivery of 10 drums each.....	1.00
5 to 9 drums, one delivery.....	1.50
1 to 4 drums, one delivery.....	2.00

(b) *Container differentials.* (1) If the oil is shipped in nonreturnable drums, the cost of the drums may be added to the above returnable drum prices.

(2) The usual or normal differentials for containers other than tankcars or drums shall continue to apply.

[Article XVIII added by Am. 27, 9 F.R. 7578, effective 7-11-44]

#### ARTICLE XIX—OLEOMARGARINE; MAXIMUM PRICES OF PROCESSORS

SEC. 19.1 *Maximum prices.* Processor's maximum prices for oleomargarine shall be determined under the provisions of the General Maximum Price Regulation, excepting that:

(a) *No maximum prices to be determined under section 1499.2 (b).* No maximum price shall be determined for any margarine under the provisions of section 1499.2 (b) of the General Maximum Price Regulation.

Where maximum prices for any margarine have been determined, or purport to have been determined, under the provisions of § 1499.2 (b) of the General Maximum Price Regulation prior to August 22, 1944, maximum prices for such margarine shall be recalculated and redetermined in accordance with the provisions of sections 19.1 (b) and (c) hereof.

(b) *Maximum prices of brands that were not sold or offered during March 1942, and that are now sold by processors who sold or offered any margarine during March 1942.* The maximum price of a brand of margarine that was not sold or offered for sale by the processor during March 1942, and that is now sold by a processor who sold or offered for sale any margarine during March 1942, shall be the highest price charged by the processor during March 1942 for the most nearly equivalent margarine sold or offered by such processor during March 1942.

(c) *Maximum prices of brands that were not sold during March 1942 and that are now sold by processors who did not sell or offer any margarine during March 1942.* The maximum price of a brand of margarine that was not sold or offered for sale during March 1942, and that is now sold by a processor who, did not sell or offer any margarine during March 1942, shall be determined under the provisions of Order No. 375 under § 1499.3 (b) of the General Maximum Price Regulation, excepting that in no case may a maximum price so determined be above the general level of prices prevailing for similar margarine in the same general area as that in which it is proposed to distribute the margarine.

(d) *Application for adjustment in certain cases of increased costs resulting from changes in method of manufacture or distribution.* (1) Where a processor, since March 1942, has changed and substantially improved the method of manufacture or distribution of any brand of margarine, or where a processor makes a new brand of margarine that is manufactured or distributed by a different and substantially better method than that

under which the most nearly equivalent brand made by him during March 1942 was manufactured or distributed, such processor may apply to the Office of Price Administration, Washington, D. C., for an adjustment in his maximum price.

(2) In any such application the processor shall specify the exact changes and improvements in method of manufacture or distribution claimed to have been made since March 1942, the old and new method of manufacture or distribution, the exact cost (as of the date of the application) of making and distributing the margarine under the method of manufacture and distribution that was used in March 1942, and the exact cost of making and distributing the margarine under the method of manufacture and distribution used at the time of the application.

(3) Any adjustment granted under this section 19.1 (d) will in no case exceed the increase in the total direct cost of manufacture and distribution that is due to the change in method of manufacture or distribution, and will in no case be to a price above the general level of prices prevailing for similar products in the same general area as that in which the product is distributed.

(e) *Application for adjustment in certain cases of hardship.* A processor may apply to the Office of Price Administration, Washington, D. C., for an adjustment in his maximum price of margarine where

(1) His maximum price is below the general price level prevailing for similar products, and

(2) He is or will be unable to maintain his production at his maximum price or prices, and

(3) The loss of his production would result in consumers having to pay higher prices for the most nearly similar substitute product available, and

(4) An increase in his maximum price or prices will enable him to continue production, and

(5) The Administrator is of the opinion that an increase in his maximum price or prices would, under all the circumstances, be in furtherance of the purposes of the Emergency Price Control Act, as amended.

The maximum price increase that may be granted to a processor or manufacturer under the provisions of this section 19.1 (e) shall not cause his price to exceed the general price level prevailing for similar products. Subject to this limitation, an increase may be granted not to exceed the total cost of the product, or if the applicant's earnings from all operations before income and excess profits taxes are low in comparison with those of a "representative peace-time period", adjusted for subsequent changes in investment, and if in view of such over-all earnings a small margin of profit is reasonably necessary to permit production, an increase may be allowed estimated to yield such a profit margin.

A "representative peace-time period" means the period of the years 1936 to 1939, inclusive. When 1936 to 1939 does not represent a reasonably normal pre-war (December 7, 1941) period, some other period may be used but its use must

be positively justified in the application.

SEC. 19.2 *Maximum prices for brands for which maximum prices have been fixed by previous orders of the OPA.* This amendment shall not affect the maximum prices for brands for which dollar-and-cents ceiling prices have been fixed by orders of the Office of Price Administration previously issued; such orders shall continue in full force and effect.

SEC. 19.3 *These maximum prices are for processors or manufacturers only.* The maximum prices established by this amendment are maximum prices for processors or manufacturers only. They are not the maximum prices for wholesalers, distributors, retailers or other sellers.

SEC. 19.4 *Definitions.* When used in this Article XIX:

(a) "Processor" means (1) the manufacturer or processor, (2) any predecessor in title of, or any corporation or person that conveyed its assets, business, stock-in-trade, good will or trademarks to, the manufacturer or processor, or (3) any corporation, a majority of whose voting stock is owned or controlled by the manufacturer or processor or which owns or controls a majority of the voting stock of the manufacturer or processor.

[Article XIX added by Am. 28, 9 F.R. 7770, effective 8-22-44]

*Effective date.* This regulation shall become effective August 14, 1943. [MPR 53 originally issued August 9, 1943.]

[Effective dates of amendments are shown in notes following the parts affected.]

NOTE: The reporting and recording provisions of this regulation are approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 8th day of August 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-11857; Filed, August 8, 1944; 11:24 a. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS

[MPR 329, Amdt. 20]

##### PURCHASES OF MILK FROM PRODUCERS FOR RESALE AS FLUID MILK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1351.408 (g) is added to read as follows:

(g) *Authorization in writing from the National Administrator.* Any regional office, when specifically so authorized in writing by the Administrator, may adjust or establish in accordance with such authority, any maximum price under this Maximum Price Regulation No. 329 for purchases of "milk" from producers.

\* 8 F.R. 2038, 2874, 3252, 3621, 4726, 5933, 5907, 6737, 8063, 9884, 10731, 13721, 15704, 16296; 9 F.R. 611, 2007, 7852.

This amendment shall become effective August 14, 1944.

Issued this 8th day of August 1944.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

Approved: July 29, 1944.

GROVER B. HILL,  
First Assistant War Food Administrator.

[F. R. Doc. 44-11858; Filed, August 8, 1944;  
11:26 a. m.]

#### PART 1381—SOFTWOOD LUMBER

[RMFR 161, Incl. Amdts. 1-15]

##### WEST COAST LOGS

This compilation of Revised Maximum Price Regulation 161 includes Amendment 15, effective August 14, 1944. The text added or amended by Amendment 15 is underscored. The tables amended and redesignated are indicated by notes.

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for sales of west coast logs, as herein defined, which differ in certain respects, from those established by Maximum Price Regulation 161. The Price Administrator has ascertained and given due consideration to the prices of west coast logs prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation has been prepared, issued simultaneously herewith, and has been filed with the Division of the Federal Register.<sup>2</sup>

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

[Preamble amended by Am. 7, 8 F.R. 11509, effective 8-24-43]

Therefore, under the authority vested in the Price Administrator by the Emer-

gency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1\* issued by the Office of Price Administration, Revised Maximum Price Regulation No. 161 is hereby issued.

##### Sec.

- 1381.151 Sale of west coast logs at higher than maximum prices prohibited.
- 1381.152 What logs are covered.
- 1381.153 Explanation of maximum price tables.
- 1381.154 Tables of maximum prices for west coast logs.
- 1381.155 Long and short lengths and special logs.
- 1381.156 The "overtime addition."
- 1381.157 Resale under allocation.
- 1381.158 Grading and scaling.
- 1381.159 Prohibited practices.
- 1381.160 Records.
- 1381.161 Species and extras not specifically listed.
- 12-1.162 Petitions for amendment and adjustment.
- 1381.163 Enforcement.
- 1381.164 Licensing.
- 1381.165 Definition.
- 1381.166 Effective date.

##### Appendix A—Grading and scaling rules.

AUTHORITY: §§ 1381.151 through 1381.166, inclusive, issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

§ 1381.151 Sale of west coast logs at higher than maximum prices prohibited.

(a) On and after January 22, 1943, regardless of any contract or other obligation, no person shall sell or deliver west coast logs, and no person shall buy or receive west coast logs in the course of trade or business, at prices higher than the maximum prices fixed by this regulation; and no person shall agree, offer or attempt to do any of these things.

(b) Prices lower than the maximum prices may be charged and paid.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

§ 1381.152 What logs are covered. This regulation covers under the name of "West Coast Logs" all logs produced in those parts of Oregon, Washington, and Canada west of the crest of the Cascade Mountains and in Skamania and Klickitat Counties in Washington and Hood River and Wasco Counties in Oregon.

[§ 1381.152 amended by Am. 8, 8 F.R. 16602, effective 12-13-43; Am. 13, 9 F.R. 5165, effective 5-18-44; and Am. 15, effective 8-14-44]

§ 1381.153 Explanation of maximum price tables.—(a) Prices are delivered to towable waters. (1) Except in the Southern Oregon-Tillamook District, the full maximum prices in the Price Table may be charged and paid only when the logs are delivered to towable waters,

dumped, boomed, rafted, and prepared for towing at the seller's expense.

If any of these services are not performed at the seller's expense, its cost must be deducted from the maximum prices. "Towable waters" means any year-round towable waters along the coast of Oregon, the Skagit River, Puget Sound, Willapa Bay, Grays Harbor, Columbia River, and Willamette River. Specifically, the Willamette River shall be considered as towable water from its mouth to a point one mile south of Albany, Oregon; the Skagit River from its mouth to Lyman's Ferry; and the Columbia River from its mouth to Hood River, Oregon.

[Above paragraph amended by Am. 12, 9 F.R. 3848, effective 4-7-44; and Am. 15, effective 8-14-44]

(2) In the Southern-Oregon-Tillamook District, the maximum prices given in the Price Tables apply only when logs are sold

(i) Delivered in towable waters, dumped, boomed and rafted and prepared for towing,

(ii) Loaded on common carrier rail cars,

(iii) Delivered to mill dumped in the mill pond,

(iv) Loaded on trucks at a receiving point, sorting pond or mill pond where logs are received and sorted for reshipment, but only after such logs have been dumped, sorted and reloaded for further transportation by trucks, or

(v) Loaded on trucks at towable waters where rail facilities are not available, provided the maximum price is reduced by the cost of dumping, booming, rafting, and preparing for towing.

[Subparagraph (2) amended by Am. 15, effective 8-14-44]

(b) Deduction for non-delivery to towable waters. Except in the Southern-Oregon-Tillamook District if the buyer does not take delivery in towable waters, but elects to take delivery at some other point (except that in no case may delivery take place at the spar tree, logging road, logging railroad, or any other point in the immediate vicinity of or connected with the logging operation), the maximum price shall be determined as follows:

(1) From the maximum prices in the tables in the next section subtract the costs (calculated under subparagraph (3) below), including transportation, booming and rafting charges, which would have been incurred if the logs had moved to the towable waters of the particular district.

(2) Then add the cost (calculated under subparagraph (3) below) of delivering to the destination specified by the

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 1117.

<sup>2</sup> Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

<sup>3</sup> 9 F.R. 5791, 7501, 8056.

buyer, including cost of loading on rail cars or dumping in mill pond.

For example: Assume that the buyer takes delivery at a railhead, and that it would have cost \$2.00 to transport the logs to towable waters and \$0.75 for booming and rafting. Assume the cost of delivering the logs to the railhead to be \$1.00 for trucking and \$1.00 for loading on cars. The ceiling price would then be \$38.50 less \$2.75, plus \$2.00, or \$37.75. The intent of this provision is that the log seller should get the same spartree realization no matter where he delivers the logs in a particular district. If he finds that within the district it is more profitable to sell to one buyer than another, he has wrongly applied this section.

(3) In figuring transportation, delivery, booming, rafting and loading charges under this paragraph, the following rates must be used, regardless of actual charges paid or applicable:

(i) Rail: Common carrier rail rates.

(ii) Truck: A base rate of \$1.06 per M feet, to which shall be added the following rates per M feet per mile or fraction thereof:

Class "A" Roads, 8½ cents;  
Class "A-1" Roads, 9½ cents;  
Class "B" Roads, 13 cents;  
Class "C" Roads, 16 cents;  
Class "D" Roads, 27 cents.

The classes of roads are defined as follows:

Class "A". Paved or macadamized, not exceeding grades of 6 percent;

Class "A-1". Permanently and continuously maintained fine gravel, smooth surfaced, free from chuck holes, ruts, "washboard" condition and other hazards, not exceeding grades of 6 percent;

Class "B". Graveled, other than specifications in Class "A-1"; also paved, macadamized, or permanently and continuously maintained fine gravel, smooth surface, free from chuck holes, ruts, "washboard" conditions and other hazards, with grades exceeding 6 percent but not exceeding 12 percent; also good plank not exceeding grades of 12 percent;

Class "C". All roads with grades exceeding 12 percent but not exceeding 18 percent; also all dirt, rock or plank other than good plank, not exceeding grades of 18 percent;

Class "D". All roads with grades exceeding 18 percent; also roads consisting of mud or water to a depth of 8 or more inches, or any road that cannot be negotiated by the truck under its own motive power.

(iii) Booming, rafting, or loading on cars. The rate charged by the nearest commercial booming, rafting, or loading facility.

[Paragraph (b) amended by Am. 4, 8 F.R. 6619, effective 5-24-43, and Am. 15, effective 8-14-44]

(c) Scaling expense. The entire cost of scaling and grading is included in the maximum prices and may not be added to those prices; except that by agreement between the buyer and seller, the buyer may pay one half of the scaling fee above the ceiling price. The maximum prices for scaling fees in the area covered by this regulation are set forth in § 1499.666, paragraph (c) of Supple-

mentary Services Regulation No. 16<sup>4</sup> to Maximum Price Regulation No. 165.<sup>5</sup>

[Paragraph (c) amended by Am. 7, 8 F.R. 11509, effective 8-24-43]

(d) Credit practices and cash discounts. Changing credit practices from what they were in October 1941, is specifically prohibited. This includes decreasing credit periods, or making greater charges for extension of credit.

If the sale is on cash terms, the maximum price must be reduced by the same amount which would have been allowed for similar cash terms on October 1, 1941. For example, if the maximum price without cash discount is \$30.00, and if this seller's cash discount on October 1, 1941, was 1%, the maximum price now for sales on similar cash terms is \$29.70.

(e) Explanation of districts. (1) Puget Sound district means the part of Washington west of the crest of the Cascade Mountains, except Grays Harbor, Pacific, Wahkiakum, Cowlitz, Clark and Skamania Counties.

(2) Willapa Bay-Grays Harbor district means the counties of Grays Harbor and Pacific, in Washington.

(3) Columbia River District consists of the counties of Wahkiakum, Cowlitz, Clark, Skamania and Klickitat in Wash-

<sup>4</sup> 8 F.R. 8750, 9386, 10433.

<sup>5</sup> Revised: 9 F.R. 7439, 9107, 9411.

ington and Benton, Clackamas, Clatsop, Columbia, Hood River, Linn, Marion, Multnomah, Polk, Wasco, Washington, and Yamhill counties in Oregon.

[Subparagraph (3) amended by Am. 13, 9 F.R. 5165, effective 5-18-44]

(4) Southern Oregon-Tillamook district means Lincoln and Tillamook Counties, Oregon and that part of Oregon west of the crest of the Cascade Mountains and south of the northern boundary of Lane County.

(f) Sale into other districts. When logs are sold out of one district for delivery in another district, the maximum prices and the grades are those of the district in which the buyer takes delivery of the logs. In the case of logs produced in Lincoln County, Oregon, north of the Siletz River, and in Tillamook County, Oregon, south of a line running east and west through Hebo, Oregon, however, deliveries may be made to a railhead or in a mill pond in the Columbia River District at the maximum prices of the Southern Oregon-Tillamook District.

[Paragraph (f) amended by Am. 6, 8 F.R. 10660, effective 8-4-43]

§ 1381.154 Tables of maximum prices. The maximum delivered prices per 1,000 ft. log scale for west coast logs shall be as follows:

(A) DOUGLAS FIR

	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Tillamook
No 1 peeler.....	\$40.00	\$40.00	\$40.00	\$38.00
No. 2 peeler.....	35.00	35.00	35.00	33.00
No. 3 peeler.....	27.00	27.00	27.00	25.00
No. 1 sawmill log.....	31.00	29.00	29.00	27.00
No. 2 sawmill log, old growth.....	23.00	23.00	23.00	21.00
No. 2 sawmill log, second growth.....	22.00	22.00	22.00	20.00
No. 3 sawmill log—old growth.....	20.00	20.00	20.00	18.00
Camp-run (ungraded) and No. 3 second growth sawmill.....	18.00	18.00	18.00	16.00

[Table (A) amended by Am. 7, 8 F.R. 11509, effective 8-24-43, Am. 12, 9 F.R. 3848, effective 4-7-44, and Am. 15, effective 8-14-44]

(B) WESTERN RED CEDAR

	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Southern Oregon-Tillamook district
Lumber Grade.....	\$36.00	\$33.00	\$33.00	\$31.00
Shingle Grade.....	21.00	21.00	21.00	19.00
Camp Run (ungraded).....	21.00	21.00	21.00	19.00

[Table (B) amended by Am. 7, 8 F.R. 11509, effective 8-24-43]

(C) WESTERN HEMLOCK

	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Tillamook
Suitable for peeling and better.....	\$27.00	\$27.00	\$27.00	\$25.00
No. 1.....	23.00	23.00	23.00	21.00
No. 2.....	21.50	21.50	21.50	19.50
No. 3.....	20.00	20.00	20.00	18.00
Camp-run (ungraded).....	20.00	20.00	20.00	18.00

[Table (C) amended by Am. 10, 8 F.R. 17327, effective 12-30-43, Am. 12, 9 F.R. 3848, effective 4-7-44]

(D) WESTERN WHITE FIR

	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Tillamook
Suitable for peeling.....	\$27.00	\$26.00	\$26.00	\$24.00
No. 1.....	23.00	22.00	22.00	20.00
No. 2.....	21.50	21.50	21.50	19.50
No. 3.....	20.00	20.00	20.00	18.00
Camp-run (ungraded).....	20.00	20.00	20.00	18.00

(E) SITKA SPRUCE

	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Tillamook
Select.....	\$45.00	\$45.00	\$45.00	\$43.00
No. 1.....	30.00	30.00	30.00	28.00
No. 2.....	24.00	24.00	24.00	22.00
No. 3.....	20.00	20.00	20.00	18.00
Camp-run (ungraded).....	20.00	20.00	20.00	18.00

(F) NOBLE FIR

	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Tillamook
Suitable for peeling.....	\$35.00	\$35.00	\$35.00	\$33.00
No. 1.....	23.00	23.00	23.00	21.00
No. 2.....	21.50	21.50	21.50	19.50
No. 3.....	20.00	20.00	20.00	18.00
Camp-run (ungraded).....	20.00	20.00	20.00	18.00

[Tables (D), (E) and (F) amended by Am. 12, 9 F.R. 3343, effective 4-7-44; Table (E) amended by Am. 15, effective 8-14-44]

(G) DOUGLAS FIR SPECIAL SHIP SPAR LOGS

Specially selected for ship spars, booms, and masts and of following lengths	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Southern Oregon-Tillamook district
42 to 54 feet.....	\$30.00	\$30.00	\$30.00	\$28.00
56 to 70 feet.....	40.00	40.00	40.00	38.00
72 to 80 feet.....	42.50	42.50	42.50	40.50
82 to 90 feet.....	45.00	45.00	45.00	43.00
92 to 100 feet.....	50.00	50.00	50.00	48.00
102 to 116 feet.....	55.00	55.00	55.00	53.00
Over 116 feet.....	75.00	75.00	75.00	73.00

[Table (G) amended by Am. 5, 8 F.R. 9381, effective 7-13-43]

(H) WOOD LOGS

	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Tillamook
No. 1 Douglas fir wood logs.....	\$16.00	\$16.00	\$16.00	\$14.00
Wood logs—No. 2 fir and all other species except cedar.....	11.00	11.00	11.00	9.00

[Table (H) amended by Am. 7, 8 F.R. 11509, effective 8-24-43 and Am. 12, 9 F.R. 3843, effective 4-7-44]

TABLE (J)—WESTERN WHITE PINE

	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Southern Oregon-Tillamook district
No. 1.....	\$34.00	\$34.00	\$34.00	\$32.00
No. 2.....	25.00	25.00	25.00	23.00
No. 3.....	19.00	19.00	19.00	17.00
Camp-run.....	19.00	19.00	19.00	17.00

[Table (J) added by Am. 8, 8 F.R. 16602, effective 12-13-43]

TABLE (K)—PONDEROSA PINE

	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Southern Oregon-Tillamook district*
No. 1.....	\$27.00	\$27.00	\$27.00	\$25.00
No. 2.....	21.00	21.00	21.00	19.00
No. 3.....	19.00	19.00	19.00	17.00
Camp-run (ungraded).....	19.00	19.00	19.00	17.00

\*These prices apply in the entire district except in Jackson and Josephine Counties.

[Table (K) added by Am. 13, 9 F.R. 5165, effective 5-18-44 and amended by Am. 14, 9 F.R. 5958, effective 5-30-44]

§ 1381.155 Long and short lengths and special logs—(a) Additions for long length. For Nos. 1 and 2 Sawmill Logs (all species except Western red cedar) and Douglas fir peewee logs over 42 feet in length, (after allowance for trim) the following additions may be made to the prices in the above tables:

	Per 1,000 feet
42 to 50 feet.....	\$1.00
52 to 60 feet.....	2.00
62 to 70 feet.....	3.00
72 to 80 feet.....	4.00

For example, the maximum price on a No. 1 Douglas fir sawmill log 54 feet long in Puget Sound District is \$33.00 per thousand feet. Authorizations for special prices on long length under the previous provisions of this paragraph will continue in effect for the quantity of logs to which the authorization extended. Note that the long log addition may not be made on Aircraft Grade Logs, Peeler Logs, Douglas Fir Special Ship Spar Logs, Ponton Logs, or logs sold on a camp run basis.

(b) Special logs. For sawmill logs over 80 feet selected to fill particular orders for long timbers or lumber or other specific purpose actually requiring long logs, or for logs of necessary extra specifications that cannot be priced under paragraph (G) of the preceding § 1381.154, the buyer and seller jointly shall file with the Lumber Branch, Office of Price Administration, Washington, D. C., the species, grade, specifications, and quantity of the particular logs, the requirement therefor, and the proposed price. This proposed price must be submitted within ten days of its first use. If, within 15 days of the receipt of the request for approval, the Office of Price Administration does not disapprove the requested price, such price shall thereafter be the maximum price for that seller for that item. Pending such approval or action by the Office of Price Administration, the seller may deliver the item and receive payment therefor, subject to the condition that a refund will be made if the price is in excess of that approved by the Office of Price Administration. Adjustment for approval of such prices may be made by letter or telegram by the Lumber Branch of the Office of Price Administration.

(c) Short lengths. For blocks of peeler logs in lengths of less than 16 feet, which otherwise meet the requirements of the standard peeler grades, deduct \$5.00 per 1,000 feet, log scale, from the maximum prices in the price tables of § 1381.154 above.

[Paragraph (c) amended by Am. 7, 8 F.R. 11509, effective 8-24-43]

[§ 1381.155 amended by Am. 4, 8 F.R. 6619, effective 5-24-43; Am. 5, 8 F.R. 9381, effective 7-13-43; and as otherwise noted]

(d) Cull logs. Any logs not specifically priced in the above tables shall be "culled out", and the maximum price at which they may be sold or purchased shall be \$1.00 per thousand feet, log scale.

[Paragraph (d) added by Am. 7, 8 F.R. 11509, effective 8-24-43]

§ 1381.156 *The "overtime addition."* The following additions may be made by any seller to the maximum price of any west coast logs produced by any company whose entire logging operation is operated the following number of hours per week in actual production:

Hours of operation:	Addition per M ft. l. s.
48 to 53 hours-----	\$1.00
54 to 59 hours-----	1.50
60 hours or more-----	2.00

This addition is subject to all of the following conditions and provisions except that operators claiming the 48 hour addition are not subject to the requirements of paragraphs (a) and (b) relating to applications for certifications and monthly reports:

[Above sentence amended by Am. 12, 9 F.R. 3848, effective 4-7-44]

(a) *Application.* Any person intending to claim the overtime addition must first file a statement with the Office of Price Administration, Washington, D. C., that the company regularly maintains the required number of hours in all its logging operations. On and after the effective date of the order granting the right to make the addition, the person may add the amount authorized to the maximum prices otherwise established by the regulation. The addition may be made only so long as the required number of hours is worked, unless specific exceptions have been granted under paragraph (f) below. The right to make the addition may be terminated at any time either for failure to maintain the required number of hours or failure to observe any other provision of this regulation. For example, the right may be withdrawn at any time from any company or person which permits false grading and scaling to be practiced or fails to submit reports. The right shall terminate from the effective date specified in the order.

(b) *Report.* Not later than the 15th of every month in which the overtime addition is claimed, the company must file a statement with the Lumber Branch, Office of Price Administration, Washington, D. C., containing the following:

(1) A statement that the required hours prevailed during the preceding month;

(2) The company's production figures by log scale, by species, for the month;

(3) The amount of logs sold during the month on which the overtime addition was claimed, by species, both log scale and total value.

(4) The amount of logs, log scale, by species, used in the seller's own mill.

(c) *Monthly average.* The requirement relating to weekly hours of production will be considered satisfied if at the end of each monthly period the average weekly hours are equal or above the required number of hours; that is, if the total number of hours for the month divided by the number of weeks or fractions thereof results in a figure equal to or above the required number of weekly hours.

(d) *Operation requirement.* Only the hours devoted to actual log production may be counted for purposes of this

section. Actual log production does not include such operations as maintenance and repair work, road building, and similar operations incidental to logging. Every camp and logging side operated by that company must maintain the required number of hours.

(e) *Invoices.* The overtime addition must be shown as a separate charge on all invoices, and labeled "overtime addition." The invoice must further show the name and address of the company producing the logs. Copies of these invoices shall be preserved by the company and shall, if required, be submitted to the Office of Price Administration.

(f) *Exceptions from requirement.* The Lumber Branch, Office of Price Administration, Washington, D. C., may by letter or telegram grant exceptions from the strict requirements of this section on the "overtime addition" when a company which has previously had its name published as an overtime company, and which is in good faith attempting to operate on a regular overtime basis, finds that in a particular month it is impossible for particular sides or its entire operation to meet the requirements, due to weather conditions or other circumstances beyond its control. The request for such an exception must show not that regular overtime operation would have been inconvenient or costly by peacetime standards, but that it was impossible in the light of the standards of operation demanded by wartime conditions and in the light of the critical lumber requirements of the military services.

(g) *Contract logging.* When figuring the ceiling price on contract logging services under Maximum Price Regulation No. 503, the overtime addition may not be included in estimating the value of the logs produced. However, where the contractor operates the required number of hours, the additions permitted by this section may be separately paid to the contractor.

[Paragraph (g) added by Am. 3, 8 F.R. 5678, effective 5-5-43; amended by Am. 5, 8 F.R. 9381, effective 7-13-43; Am. 11, 9 F.R. 694, effective 1-22-44; and Am. 12, 9 F.R. 3848, effective 4-7-44]

§ 1381.157 *Resales by mills or other users.*—(a) *Resales under allocation.* In the case of resale by mills or other users of West Coast logs pursuant to the direction of the War Production Board (or any other Government agency) requiring the allocation or requisitioning of the logs, the maximum price shall be the sum of the following:

(1) Maximum delivered price to the first buyer as established by this regulation.

(2) Actual cost of transportation which has been incurred from the point at which delivered price was computed; sorting, booming, rafting, scaling, re-loading, and such other direct costs incurred by the first buyer as are necessary to the proper preparation of the logs for resale; and

(3) Any overtime addition actually paid by the first buyer to a seller who has

been permitted to charge the overtime addition.

The resulting maximum price is f. o. b. the reseller's mill or plant, and the second buyer shall bear the cost of transporting the logs to his own plant.

The additions apply only when the resale takes place in the course of a going business, and when the reseller expects to buy other logs to replace those resold. If, however, this is not the case, as where a stock of logs is sold by a mill going out of business, the transaction is not subject to this regulation but to Revised Maximum Price Regulation 204—Special Sales of Industrial Materials.<sup>6</sup>

(b) *Accommodation sales from log storage at mill.* In the case of resales by mills or other users of West Coast logs to another user in emergency situations where the purchasing mill cannot obtain logs from its regular source, the buyer and seller may apply to the Lumber Branch, Office of Price Administration, Washington, D. C. for permission to add to the maximum prices for such logs a service charge to recompense the seller for inbound costs on the logs not included in the maximum price and to cover the cost of removing the logs from the seller's storage and hauling them to the buyer's mill. The application should state these charges in detail and the reasons why the sale is necessary. The Lumber Branch may grant the permission by letter or telegram.

[§ 1381.157 amended by Am. 15, effective 8-14-44]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894, 8 F.R. 1312, 3702) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

§ 1381.157a [Revoked.]

[§ 1381.157a added by Am. 4, 8 F.R. 6619, effective 5-24-43; revoked by Am. 7, 8 F.R. 11509, effective 8-24-43]

§ 1381.158 *Grading and scaling.* (a) On and after August 14, 1944, no one may buy or sell West Coast logs unless the logs have been graded and scaled in accordance with the rules set forth in Appendix A.

(b) Each lot or raft of logs must be covered by a Scale Bill or Scale Certificate as required by § 1381.160 below.

(c) In Appendix B are listed "approved" independent graders and scalers

<sup>6</sup> 8 F.R. 11376, 12795; 9 F.R. 5376, 6819, 7077.

and bureaus found to be qualified to perform the service of grading and scaling. When buyers and sellers have their logs graded and scaled by such "approved" graders and scalers, the buyers and sellers will not be held responsible for inaccurate grades or scales. Where graders and scalers other than those listed in Appendix B are used, however, and subsequent rescale or check scale shows more than 5% variation in value from the original grade or scale, the buyer and seller shall be chargeable with the full responsibility for such incorrect grade or scale and subject to the penalties provided for violation of this regulation.

(d) Where a rescale or check scale of logs which have originally been scaled and graded by an "approved" scaler indicates a variation greater than 5% in value between the original and check scale, the Portland District Office may notify the approved scaler that an investigation will be conducted to determine whether that particular scaler is performing his duties satisfactorily. As a part of such investigation the scaler must be afforded a reasonable opportunity to be heard and to justify his original scale. If it appears from this investigation that the scaler is not performing the duties of scaler and grader in such a manner as to warrant continued approval by the Administrator, the Administrator may by appropriate amendment remove the original scaler's name from the approved list.

(e) Persons desiring to be added to the list of "approved" scalers may make application to the OPA District Office at Portland, Oregon, listing their experience and qualifications and showing that they will operate as independent scalers and not as an employee of any buyer or seller. If, upon investigation, it is found that the applicant possesses the necessary qualifications and ability to do a reasonably accurate and acceptable job of log-scaling under the rules of this regulation, the Administrator will by an amendment add the applicant's name to Appendix B of this regulation.

[§ 1381.158 amended by Am. 7, 8 F.R. 11509, effective 8-24-43, and Am. 15, effective 8-14-44]

§ 1381.159 *Prohibited practices*—(a) *General.* Any practice which obtains the effect of a higher-than-ceiling price without actually raising the price is as much a violation of this regulation as an outright overceiling price. This applies to the use of commissions, services, grading and scaling manipulations, transportation arrangements, premiums, special privileges, tying agreements, trade understandings and the like.

(b) *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment; but no person may, unless authorized by the Of-

fice of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after shipment. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

[Paragraph (b) amended by Supplementary Order No. 50 and Am. 1 thereto, 8 F.R. 10563, 14310, effective 7-27-43]

(c) *Service commissions.* It is unlawful for any person to charge, receive or pay a commission for the service of procuring, buying, selling or locating logs, or for any related service (such as "expediting") which does not involve actual physical handling of logs, if the commission plus the purchase price results in a total payment by the buyer of logs which is higher than the maximum price of the logs. For purposes of this regulation, a commission is any service charge or payment which is figured either directly or indirectly on the basis of the quantity, price or value of the logs in connection with which the service is performed.

[Paragraph (c) added by Am. 2, 8 F.R. 2992, effective 3-15-43]

(d) *Specific practices.* The following are among the specific practices prohibited:

(1) A buyer or seller attempting to influence in any way the judgment of the scaler.

[Paragraph (d) added by Am. 7, 8 F.R. 11509, effective 8-24-43]

§ 1381.160 *Records*—(a) *All sellers and buyers.* All sellers of west coast logs must keep all scaling certificates or statements, and invoices which will show a complete description of the logs sold, the name and address of the buyer, the date of sale, and the price. Buyers must keep similar records, including the seller's name and address. These records must be kept for any month in which the seller or buyer sold or bought 100,000 ft., log scale, or more, of west coast logs. They must be kept for two years, for inspection by the Office of Price Administration.

(b) *Grades and scales.* All original scale records shall show gross and net measurements in diameter and length, and shall designate the type of defect by appropriate symbols.

[Paragraph (b) amended by Am. 15, effective 8-14-44]

(c) *Grade and scale certificate.* On and after August 14, 1944, a scale and grade certificate or statement must ac-

company every sale of West Coast logs subject to this Regulation. The statement must be in the form customarily used in the particular district and must be signed by the person who scaled and graded the logs, or by the manager of one of the authorized scaling bureaus, and it must indicate the grade and scale of the logs in accordance with the grading and scaling rules set out in Appendix A. A copy of this certificate or statement must be filed within 10 days after the scaling and grading of the logs with the District Office of the Office of Price Administration at Portland, Oregon.

[Paragraph (c) added by Am. 15, effective 8-14-44]

§ 1381.161 *Species and extras not specifically listed.* If a seller wishes to sell or a buyer wishes to buy species of logs not specifically priced in this regulation, or wishes to make charges for extras not specifically provided for, he shall apply to the Lumber Branch, Office of Price Administration, Washington, D. C. for approval of a maximum price. He must provide the following information:

(a) The requested price;

(b) A complete description of the item for which approval is desired:

(1) If a species of log, he shall supply a complete description of the grades and the grading rules pertaining to the species;

(2) If an extra, a description of the service performed or the thing for which an extra charge is to be made.

(c) The price differential between it and the most nearly comparable item priced in the regulation, between January 22, 1943, and April 11, 1944, from the seller's or buyer's own records, or if that is not possible, from the experience of other sellers or buyers. If no price differential exists, a detailed analysis of comparative value shall be furnished.

As soon as request has been filed, quotations and deliveries may be made at the requested price, but final payment may not be made until a price has been approved by the Office of Price Administration. Such approval may be made by telegram or letter.

If the above directions for getting approval of a requested price for "unlisted" logs are not followed, the seller shall use as his maximum price the lowest price given in the regulation for any log, regardless of species or grade.

[§ 1381.161 added by Am. 15, effective 8-14-44]

§ 1381.162 *Petitions for amendment and adjustment*—(a) *Government contracts.* See Procedural Regulation No. 6<sup>1</sup> for adjustment provisions on certain government contracts or subcontracts.

[Paragraph (a) amended by Supplementary Order No. 83, 9 F.R. 973, effective 2-1-44]

<sup>1</sup> 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12924; 9 F.R. 6256.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation 1, issued by the Office of Price Administration.

[NOTE: Supplementary Order No. 28 (7 F.R. 9619; 8 F.R. 7256) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

[§ 1381.162, formerly § 1381.161, redesignated by Am. 15, effective 8-14-44]

§ 1381.163 *Enforcement.* (a) Persons violating any provision of this Revised Maximum Price Regulation No. 161 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Revised Maximum Price Regulation No. 161 or any price schedule, regulation or order issued by the Office of Price Administration, are urged to communicate with the nearest District, State, or Regional Office of the Office of Price Administration or its principal office in Washington, D. C.

[§ 1381.163, formerly § 1381.162, redesignated by Am. 15, effective 8-14-44]

§ 1381.164 *Licensing.* The provisions of Licensing Order No. 1,\* licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1381.164, formerly § 1381.162a, added by Supplementary Order No. 72, 8 F.R. 13244, effective 10-1-43, and redesignated by Am. 15, effective 8-14-44]

§ 1381.165 *Definition.* The term "person" includes an individual, corporation, partnership, association, or any other organized group, their legal successors or representatives; the United States, or any government, or any of their political subdivisions; or any agency of any of the foregoing.

[§ 1381.165, formerly § 1381.163, redesignated by Am. 15, effective 8-14-44]

§ 1381.166 *Effective date.* (a) This Revised Maximum Price Regulation No. 161 (§§ 1381.151 to 1381.164, inclusive) shall become effective January 22, 1943.

(b) If logs have been received before January 22, 1943, by a carrier, other than one owned or controlled by the seller, for shipment to the buyer, that shipment is not subject to this revised regulation. It remains subject to the earlier version of this regulation which was in effect at the time the logs were turned over to the carrier.

(c) Notwithstanding any other provision of this revised regulation, the requirements of § 1381.153 (a) and (b) as to delivery shall not apply to No. 1 and

No. 2 grades of Sitka Spruce logs produced under the two contracts described below. As to these grades and species of logs produced under these contracts, the maximum prices applying to those logs as listed in the price tables of § 1381.154 shall be f. o. b. rail cars at Forks, Washington, loaded at the seller's expense:

(1) Contract No. 1, dated August 7, 1942, between the State of Washington and Olympic Logging Company (formerly Eagle Logging Company) of Seattle, Washington, covering 2,400,000 ft., log scale, of spruce timber located in Section 30, Township 27 North, Range 10 West, W. M., in Jefferson County, Washington.

(2) Contract No. 3, dated August 7, 1942, between the State of Washington and Noon and Crippen, of Port Angeles, Washington, covering 1,250,000 feet, log scale, of spruce timber located in Section 19, Township 27 North, Range 11 West, W. M., in Jefferson County, Washington.

[Paragraph (c) added by Am. 1, 8 F.R. 2992, effective 3-15-43]

[§ 1381.166, formerly § 1381.164, redesignated by Am. 15, effective 8-14-44]

[RMPR 161 originally issued January 22, 1943]

[NOTE: Effective dates of amendments are shown in notes following the parts affected]

#### APPENDIX A—GRADING AND SCALING RULES

All west coast logs must be graded and scaled in accordance with the following rules:

(a) *Grading rules.* The following rules set forth the minimum requirements for each grade. In grading logs the scale shall not be deducted in content in order to raise the grade; this means that if a log has a defect which is not permissible in a given grade, it may not be placed in that grade by merely deducting the defect from the scale. Logs may be designated as "camp run" where the entire production cut from a particular operation is sold without any prior selection (except wood logs or cull logs) either at the spar-tree, booming and rafting point, or elsewhere. If any graded logs such as peelers, have been segregated from the raft or particular lot of logs, the entire lot must be sold on grade.

[Paragraph headed "Douglas Fir Ponton Logs" deleted by Am. 13, 9 F.R. 5165, effective 5-18-44]

#### DOUGLAS FIR SAWMILL LOGS

No. 1 *Douglas Fir sawmill logs.* No. 1 Douglas fir sawmill logs shall be logs which are suitable for the manufacture of lumber in the grades of No. 2 Clear and Better or B and Better to an amount of not less than 50 percent of the scaled contents, and shall not be less than 16 feet in gross length (after allowance for trim) and shall not be less than 30 inches in gross diameter inside the bark at the small end.

No. 1 logs shall be old growth logs and shall contain not less than eight annual rings to the inch in any part of the outer portion of the log equal to one-half of the scale contents, ring count and measurement to be taken at the top end of the log, and shall be straight grained to the extent of a variation for a space of 6 lineal feet equidistant from each end of the log of not more than 1 inch per foot in logs to and including 35 inches

in diameter, 1½ inches per foot in logs 36 inches to 50 inches in diameter, 2 inches per foot in logs 51 inches to 60 inches in diameter, 2½ inches per foot in logs 61 inches and over.

Rings, rot, or any other defects that are deducted in the scale are permitted in a No. 1 log providing their size and location do not prevent the log producing the required amount of No. 2 Clear and Better or B and Better lumber. Visible pitch-pockets, rings and knots must be located so that they do not prevent the production of the required amount of No. 2 Clear and Better or B and Better lumber.

No. 2 *Douglas Fir sawmill logs.* No. 2 Douglas fir sawmill logs shall not be less than 12 feet in length and not less than 12 inches in diameter below the grade of a No. 1 log but which will be suitable in grade:

(a) For the manufacture of lumber in the grades of at least 65 percent No. 1 Common or Better lumber, or

(b) For the manufacture of lumber in the grades of 25 percent No. 2 Clear and Better or B and Better or an equivalent value in combination of grades.

No. 3 *Douglas Fir sawmill logs.* No. 3 Douglas fir sawmill logs shall be not less than 12 feet in length, having defects which prevent their grading No. 2, but which are suitable for the manufacture of not less than 50 percent of the net scaled contents of the No. 2 Common and Better grades of lumber. Logs in this class shall be scaled down to and including an 8-inch diameter.

Logs having excessive slope of grain and/or logs having an excessive number of visible pitch-pockets shall be included in this grade.

#### SPRUCE SAWMILL LOGS

Select *spruce sawmill logs.* Select spruce sawmill logs shall be logs which are suitable for the manufacture of lumber in the grades of No. 2 Clear and Better or B and Better to an amount of not less than 50 percent of the scaled contents, and shall not be less than 16 feet in gross length (after allowance for trim) and shall not be less than 30 inches in gross diameter inside the bark at the small end.

Select logs shall be old growth logs and shall contain not less than eight annual rings to the inch in any part of the outer portion of the log equal to one-half of the scale contents, ring count and measurement to be taken at the top end of the log, and shall be straight grained to the extent of a variation for a space of 6 lineal feet equidistant from each end of the log of not more than 1 inch per foot in logs to and including 35 inches in diameter, 1½ inches per foot in logs 36 inches to 50 inches in diameter, 2 inches per foot in logs 51 inches to 60 inches in diameter, 2½ inches per foot in logs 61 inches and over.

Rings, rot, or any other defects that are deducted in the scale are permitted in a No. 1 log providing their size and location do not prevent the log producing the required amount of No. 2 Clear and Better or B and Better lumber. Visible pitch-pockets, rings and knots must be located so that they do not prevent the production of the required amount of No. 2 Clear and Better or B and Better lumber.

\* 8 F.R. 13240.

**No. 1 Sitka Spruce Logs:** (a) No. 1 Sitka spruce logs shall be not less than 26 inches in diameter and suitable for the manufacture of lumber in the grades of 25% No. 2 Clear and Better, or B and Better Clear.

(b) The slope of grain shall not exceed:  
1 inch per foot on logs 26" to 35" in diameter.

1½ inch per foot on logs 36" to 50" in diameter.

2 inches per foot on logs 51" to 60" in diameter.

2½ inches per foot on logs 61" and over in diameter.

(c) The rate of growth shall not be less than 8 annual rings per inch in the clear portion of the log at the scaling end.

In addition to the above if the log meets the grade requirements of a Select spruce log in all respects other than slope of grain, such logs may be graded No. 1 providing the slope of grain does not exceed 3 inches per foot.

**No. 2 Sitka spruce logs:** No. 2 Sitka spruce logs are those which do not meet the above requirements for No. 1 but which qualify as follows:

(a) Shall be not less than 12 feet in length and not less than 16 inches in diameter;

(b) Must be suitable in quality for the manufacture of 65% No. 1 Common or Better lumber

**No. 3 Spruce sawmill logs:** No. 3 Spruce sawmill logs shall be not less than 12 feet in length, having defects which prevent their grading as No. 2 logs, but which are suitable principally for the manufacture of lumber grades of No. 2 and No. 3 common or box cutting, minimum diameter—10 inches.

Logs having excessive slope of grain and/or logs having an excessive number of visible pitch-pockets shall be included in this grade.

[Paragraphs headed "Douglas Fir Sawmill Logs" and "Spruce Sawmill Logs" amended by Am. 12, 9 F.R. 3848, effective 4-7-44, and Am. 15, effective 8-14-44]

#### DOUGLAS FIR PEELER LOGS

**No. 1 Douglas fir peeler logs.** No. 1 Douglas fir peeler logs shall be of Old Growth Fir and meeting the qualifications of a No. 1 sawmill log and must be suitable for the manufacture of clear, uniform colored veneer or plywood stock to an amount of not less than 50 percent of the scaled content, selected for rotary cutting, and which do not contain defects that will prevent their being held and turned in a lathe. No. 1 peeler logs shall be at least 90 percent surface clear.

**No. 2 Douglas fir peeler logs.** No. 2 Douglas fir peeler logs shall be good quality No. 2 Douglas fir sawmill logs suitable for the manufacture of clear uniform colored veneer or plywood stock to an amount of not less than 35 percent of the scaled content, selected for rotary cutting which do not contain defects that will prevent their being held or turned in a lathe. Slope of grain shall not exceed three inches per lineal foot.

No. 2 peeler logs shall be at least 30 inches in gross diameter inside the bark at the small end and 16 feet or more in length.

No. 2 peeler logs shall contain not less than eight annual growth rings to the inch in the outer portion of the log, equal to 50 percent of the scaled content; all ring count and measurement shall be taken at the top end of the log.

Visible pitch-pockets which do not prevent the production of the required amount of clear face stock are permitted in No. 2 Douglas fir peeler logs. A short piece of ring, not to exceed one-half of a full ring, is per-

mitted in each end of the log, provided that any heart check or spangles are confined to the heart portion of the log.

**No. 3 Douglas fir peeler logs.** No. 3 Douglas fir peeler logs shall be good quality No. 2 sawmill logs suitable for the manufacture of veneer or plywood stock to be used for center core, cross core and backs, and shall not contain defects that will prevent them being held and turned in a lathe. Minimum length 16 feet, and minimum diameter 24 inches.

**Douglas fir peeler blocks.** When scaling peeler blocks under 16 feet in length the same scaling and grading rules shall be used as when determining the grade and content of a peeler log, but they shall be graded as No. 1, No. 2, or No. 3 peeler blocks.

[Paragraph headed "Aircraft Grades Noble Fir and Hemlock" deleted by Am. 13, 9 F.R. 5165, effective 5-18-44]

#### HEMLOCK LOGS

**Peeler grade hemlock.** Peeler grade hemlock logs shall be suitable for rotary cutting and shall be capable of producing not less than 50 percent No. 2 Clear and Better lumber, of uniform quality, and not less than 16 feet in length and 24 inches in diameter.

**No. 1 Hemlock.** No. 1 hemlock logs shall be logs of good uniform quality not less than 16 feet in length and 24 inches in diameter. No. 1 logs must be capable of producing not less than 35 percent of the gross content No. 2 Clear and Better lumber.

**No. 2 Hemlock.** No. 2 hemlock logs shall be logs not less than 12 feet in length and not less than 14 inches in diameter. Logs in this grade must produce not less than 65 percent of the gross contents in No. 1 common lumber.

**No. 3 Hemlock.** No. 3 hemlock logs shall be logs not less than 12 feet in length and not less than 8 inches in diameter, having defects which prevent them grading No. 2 grade, but which are suitable for the manufacture of not less than 50 percent of the gross contents in the common grades of lumber.

#### OTHER SPECIES

The foregoing grading rules for peeler and sawmill hemlock shall apply to White Fir, Silver Fir, Noble Fir, and other allied species; with the exception of Aircraft Noble Fir grade. Ponderosa pine logs shall be scaled and graded on the basis of the above rules for hemlock logs.

[Paragraph amended by Am. 13, 9 F.R. 5165, effective 5-18-44]

#### CEDAR LOGS

**Lumber Grade.** Lumber Grade Cedar logs shall be such logs 16 feet and over in gross length, 28 inches and over in diameter which are suitable for the manufacture of No. 2 Clear and Better lumber to an amount of not less than 50 percent of the scaled contents. Slabs or parts of large logs, the greater part of which is suitable for the production of one inch No. 2 Clear and Better lumber, can be put into this grade down to and including pieces 14 inches thick provided that the scale content of each slab or part is more than 700 board feet.

**Shingle Grade.** Shingle grade cedar logs shall be such logs or parts of logs that do not meet the requirements of the Lumber Cedar log grades, but will produce No. 2 twelve inch clear or better shingles or common cedar lumber. For shingle cedar logs having less than 50% of clear cuttings, 24 inches between knots lengthwise of log and less than 10 inches crosswise of log on any quadrant, a reduction in scale shall be made of one inch in diameter for each quadrant so affected if the knots are two inches or less in diameter, and a reduction in scale of two inches in diameter for each quadrant so affected if knots are larger than two inches in diameter.

Any logs having knots over two inches in diameter on more than one quadrant but not on the full two quadrants shall be cut three inches in diameter.

Small Cedar logs under 16" in diameter, when sorted separately, may be scaled on the basis of Common Cedar lumber production.

[Above paragraph added by Am. 9, 8 F.R. 16603, effective 12-13-43]

#### WESTERN WHITE PINE

**No. 1 Grade.** Logs shall be 24 inches or over in diameter and 16 feet or over in length. They shall be reasonably straight grained and of a character which in the judgment of the scaler are capable of producing not less than 25 percent of the net scaled contents of C Clear and Better Lumber.

**No. 2 Grade.** Logs shall be not less than 12 feet in length and not less than 15" in diameter, below the grade of No. 1 log but which will be suitable in grade for the manufacture of lumber principally in the grades of No. 2 Common lumber.

**No. 3 Grade.** This grade shall consist of logs below the grade of No. 2 and shall be not less than 12 feet long and not less than 6 inches in diameter which will be suitable in grade for the manufacture of the inferior grades of lumber.

[Paragraphs headed Western White Pine added by Am. 8, 8 F.R. 16602, effective 12-13-43]

#### WOOD LOGS—ALL SPECIES

**No. 1 Douglas Fir Wood Logs** shall be logs 30 inches and over in diameter, containing sound stain and/or worm holes, that otherwise would meet the requirements of a No. 2 Fir log.

**No. 2 Douglas Fir Wood Logs** shall be such logs that do not meet the requirements of the above grades but have a net scale lumber content after deductions as specified in the wood log scaling rules of at least 33⅓% of the gross scale.

**Wood logs—all other species (except cedar)** shall be logs which meet the minimum requirements of the No. 2 Douglas Fir Wood Log Grade.

**Culls:** Any logs failing to meet the minimum requirements for a No. 2 Fir Wood Log must be culled out.

[Paragraphs headed "Wood Logs—All Species" amended by Am. 12, 9 F.R. 3848, effective 4-7-44]

#### LONG LOG SCALING AND GRADING

**All species—excepting cedar.** Long logs are defined as being logs which are 42 feet and over in length.

All long logs, whatever the species, should be scaled to grade, the grade requirement being the same as for short logs. The scale on these logs should be made by using the top diameter for the top log only; second, third and fourth logs should be scaled by adding to the top diameter an allowance of 1 inch for taper in each 10 feet of length.

Logs from 42 to 80 feet inclusive in length shall be scaled as two logs of as nearly equal length in even feet as possible and in case the two logs are not exactly even length in even feet, the longer of the two shall carry the smaller diameter.

Logs from 82 feet to 120 feet inclusive shall be scaled in the same manner except that they shall be scaled as three logs.

Logs in excess of 120 feet shall be scaled in the same manner except that they shall be scaled as four or more logs, it being the intent of having the maximum length of any one log 40 feet.

The scaling or grading of any segment of a long log shall be based entirely on the merits of the segment under consideration.

## GENERAL RULES—PEELER LOGS

## Slope of grain:

All grades: As defined in rule.

## Pitch-pockets and hard pitch:

No. 1 peeler: Will allow some well-scattered pitch-pockets and/or hard pitch streaks, if in the judgment of the scaler, the number and character will not prevent the recovery of the required amount of No. 2 Clear or B Clear and/or Better.

No. 2 peeler: Permitted to an extent that they do not prevent the production of the required amount of clear face stock.

Core: Will allow to an amount not quite sufficient to justify de-grading to a No. 3 sawmill log.

## Burls or knot clusters:

All grades: Permissible if so located that standard peeler blocks can be obtained on either side of defect.

## Pitch rings:

All grades: Permissible if parts of rings are so located that the required peelable content can be obtained with a minimum of waste at the lathe. Complete rings allowable if located in sap area or within the heart area of the log.

## Breaks:

All grades: Permissible if the defect can be eliminated by a normal deduction of up to  $\frac{1}{2}$  of the log length.

## Heart checks, cross checks, crow's foot, or flaky heart:

All grades: Permissible if not in conjunction with pitch-rings or breaks to a degree that makes the resulting peeler blocks unsuitable for turning.

## Sound stain:

All grades: Permissible if veneer stock of the quality and amount required for that specific grade is obtainable from the log in question.

## Heart off-center:

All grades: Shall be a determining factor in grading peelable logs only when, in the judgment of the scaler, the heart off-center, in conjunction with other defects, renders the log impracticable for peeling.

## GENERAL RULES—WOOD LOGS

A log that in the judgment of the scaler is a Wood Log as defined for the particular species shall be scaled for its net lumber content exclusive of bark, under the following deduction requirements:

**Diameters:** Take full diameter inside the bark or decayed sap at the top end of the log.

**Lengths:** Where logs have bucked ends, the standard gross lengths shall be used.

Where logs have badly broken or shattered ends, the lengths on such logs shall be taken inside the breakage to a point that will yield that longest, usable, standard length log or block.

**Deductible defects:** Any portion of a wood log that will not produce No. 4 or better lumber shall have the unsuitable portion of the log eliminated by sufficient deduction. Such defects are:

Hollow ends

Badly decomposed wood originating from

Butt-rot, Top-rot or conk

Slab breaks

Shatter breaks

Saddle-burns

Rotted spots that penetrate beyond the normal sap

Excessive roughness or pitch-rings that will not permit the production of lumber.

**Permissible defects:**

Pitch-rings

Firm stain

Firm conk

Knots

Worm holes

Straight splits

Heart checks

Cross checks

[Paragraphs headed "General Rules—Wood Logs" added by Am. 12, 9 F.R. 3848, effective 4-7-44]

## GENERAL RULES—OTHER LOGS

**Log diameters.** Log diameters shall be measured inside the bark at the small end of the log with the scale stick held in the vertical position except in cases in which damage to the log, or knots, burls, depressions, etc., prevent taking a correct diameter measurement. In the latter cases, the diameter is to be taken in as nearly a vertical position as possible. The actual scale shall be in accordance with either the Spaulding Log Rule or the Revised Scribner Decimal C Log Rule.

**Log lengths.** To allow for trimming, the actual minimum lengths of each log shall exceed the stated length as follows:

	Inch trim
40 feet and under.....	8
42 feet to 50 feet.....	10
52 feet to 60 feet.....	12
62 feet to 70 feet.....	14
72 feet to 80 feet.....	16
82 feet to 90 feet.....	18
90 feet and over.....	20

Length measurement to be taken on the short side of the log.

For example, to meet a minimum length requirement of 16 feet, the log must measure not less than 16 feet 8 inches.

(b) **Scaling rules or instructions to scalers.**

(1) The scaler must exercise independent judgment in fulfilling his duties.

[Subparagraph (1) amended by Am. 15, effective 8-14-44]

(2) The log scaler's duties shall include a careful study of the natural defects of the different logs produced by the districts in which he works. A scaler shall also note carefully any other defect, such as breaks or damage caused in the process of felling, bucking, or any other part of the logging operation. The ability to judge what a log will produce in the finished product, as to grade, also requires a general knowledge of the manufacture of lumber.

(3) Scalers shall spend sufficient time at the mills to compare their scaling with the results obtained in manufacturing the logs. For the purpose of identification, logs to be observed shall be marked in accordance with the scale bill before they are sawed.

(4) Each log shall be scaled individually upon its own merits. After careful examination of any log, if no waste or defect is found, such log shall be scaled at its full diameter inside the bark, and full length with necessary trim. When waste or defect is found in any log, a deduction in scale shall be made which will completely eliminate the waste.

(5) All deductions shall be made in inches in diameter and feet in length. When required original scale records shall show full and net measurements in diameter and length, and designate the type of defect by specified symbols. In grading logs the scale shall not be deducted in content in order to raise the grade. When scaling bleached logs, or logs covered with dirt, the spud on the scaling stick shall be used to chop into the end of the log to uncover any hidden defect. In measuring the diameter of a log, any fraction over the inch is to be dropped.

(6) A reduction in length shall be made for defects such as end brooming, breakage, crook, stump shake, dry rot, sweep, split, stump rot, pitch spangle, conk or other advanced decay.

(7) Reduction in diameter shall be made for defects, such as sap rot, cat face, roughness, season checks, pitch rings and heart checks.

(8) Any logs so rough that the side cut will not produce No. 2 Common or Better lumber shall have deduction in scale of a sufficient amount to eliminate the No. 3 Common lumber in squaring up the log. This rule is to be applied only to extremely rough logs, especially knotty tops, and does not imply deductions on sound tight knotted logs.

(9) Logs with sap rot, sap stain and surface weather checks shall show the gross and net diameters. The net diameter shall be taken inside the defects, and the log graded on the quality of the net volume scaled.

(10) Broken ends and bucking breaks shall be allowed for in the scale by measuring only such part of the log as is free from break, in even feet in length. Care must be taken to see that the scaled part of the log represents the actual part of the log suitable for the production of lumber. Deduction for broken logs shall be sufficient for the waste involved. Deduction for splits in falling which show in the butt, or large end, shall be made as follows:

In large logs, and in logs containing excessive taper, straight splits through the heart shall be eliminated by reductions from diameter in the same manner as for heart checks. Reductions for badly split, or stump shot ends, are made by reductions in length of sufficient amount to eliminate the waste.

(11) Logs containing grub worms shall have the portion containing such defect eliminated from the scale, and the remaining portion shall be graded according to the class of lumber it will produce.

(12) A pitch ring in a log causes a loss in the amount of lumber produced according to its location. A general rule to be used as a basis for deductions for pitch rings is as follows:

A deduction of 1 inch from the diameter for each half ring or less visible in one end of the log only, and a deduction of 2 inches when visible in both ends. A deduction of 2 inches for a complete ring visible in one end of the log only, and a deduction of 4 inches when visible in both ends. The exceptions to this basic rule are as follows:

(i) A log containing a pitch ring 3 inches or less from the perimeter shall be scaled by taking the diameter inside the ring.

(ii) A deduction of 1 inch shall be made for a pitch ring located in the heart of the log, when in one end only, and a deduction of 2 inches when the ring extends through the log. Inner one-third the diameter of the log is to be considered as the heart area.

(iii) An open pitch ring located in the clear portion of the log where it causes the maximum amount of waste may, in the judgment of the scaler, receive an additional deduction of 1 inch when visible in one end only, and an additional deduction of 2 inches when such defect extends through the log.

(13) One inch is deducted for an open check in one end, or a straight close check showing in both ends. Two inches for cross checks, or double checks showing in one end, four inches if showing in both ends. Heart checks are often an indication of flaky heart. Deduction shall be made for waste caused thereby. For spangles, a cut in length shall be made in proportion to the amount of the log actually affected.

(14) In any No. 1 log where the maximum twist allowable prevails, the log shall be otherwise free from any other grade defects.

**Rescales or check scales.** If either the buyer or seller is dissatisfied with the scale or grade of any logs which have been scaled or graded, either party may call for a rescale. If the original scale was made by an Authorized Bureau, the request for rescale shall be made to that Bureau which shall notify in writing both the buyer and the seller of such request and the approximate date of such rescale which shall be made by the Chief Scaler of the Bureau. If the original scale was made by a person other than a Bureau scaler, the buyer and seller shall select another authorized scaler to perform the rescale; if they cannot agree on the selection of the scaler, they may request the district office of the Office of Price Administration at Portland, Oregon, to select one from the authorized list. In either instance, the rescale shall be made without representation from either the buyer or seller and the rescale shall be the final scale and grade for the particular lot of logs.

The cost of the rescale shall be determined by agreement between the buyer and seller in accordance with past custom. If an Authorized Bureau is involved in the rescale, the cost shall be borne in accordance with the usual practice of that Bureau.

[Appendix A added by Am. 7, 8 F.R. 11509, effective 8-24-43]

#### APPENDIX B—APPROVED SCALERS AND GRADERS

The approved grading and scaling bureaus and the approved independent graders and scalers are:

Fudget Sound Log Scaling and Grading Bureau, Seattle, Washington.

Grays Harbor Log Scaling and Grading Bureau, Aberdeen, Washington.

Columbia River Log Scaling and Grading Bureau, Portland, Oregon.

Archer, William R., P. O. Box 1127, Bunker Hill Station, Marshfield, Oregon.

Arvey, William A., 911 Lowman Bldg., Seattle, Washington.

Calavan, Mac, 122 Cowing Street, Silverton, Oregon.

Campbell, Everett, Cascade Log Scaling Bureau, Sweethome, Oregon.

Carney, T. O., Lumberman's Bldg., Portland, Oregon.

Cox, J. E., Mapleton, Oregon.

Day, Rube, Marshfield, Oregon.

Edlund, J. V., Morton, Washington.

Eskola, Garfield, 4214 N. Borthwick Ave., Portland, Oregon.

Evanson, Frank T., Olympic Log Scaling Bureau, Aberdeen, Washington.

Fesum, Howard, Cascade Log Scaling Bureau, Sweethome, Oregon.

Foster, Charles L., Route 4, Eugene, Oregon.

Fowler, Freeman, 205 W. 5th Street, Tillamook, Oregon.

Fransen, Fred W., 3016 N. 19th Street, Tacoma, Washington.

Greene, Raleigh D., Marshfield, Oregon.

Handler, J. F. Jr., 237 Pittock Block, Portland, Oregon.

Haugen, Howard E., Roseburg, Oregon.

Herlihey, Roy, 237 Pittock Block, Portland, Oregon.

Jennings, E. W., East Burcham Street, Kelso, Washington.

Johnson W. G., Pacific Log Scaling Bureau, 4234 S.W. Macadam Avenue, Portland, Oregon.

Kinder, W. J., 237 Pittock Block, Salem, Oregon.

Lamb, H. C., 1625 S.E. 39th Avenue, Portland, Oregon.

Lawrence, Elmer T., 2301 S.E. 39th Avenue, Portland, Oregon.

Lindsell, William C., 1003 Columbia Street, Olympia, Washington.

McIntyre, R. W., 406 Rust Bldg., Tacoma, Washington.

Morgan, Elry, 237 Pittock Block, Portland, Oregon.

Morgan, Griffith, 630 5th Street, Astoria, Oregon.

Oswald, Henry J., 237 Pittock Block, Portland, Oregon.

Oswald, William M., 237 Pittock Block, Portland, Oregon.

Palmerton, Sam, Idanha, Oregon.

Patchell, Frank, Cascade Log Scaling Bureau, Sweethome, Oregon.

Rahm, S. J., P. O. Box 131, Morton, Washington.

Rhoades, C. B., Olympia, Washington.

Rowe, S. S., 2205 Second Avenue, Seattle, Washington.

Schneider, A. V., 237 Pittock Block, Portland, Oregon.

Scott, W. R., 237 Pittock Block, Portland, Oregon.

Sheridan, Clyde B., P. O. Box 143, Olympia, Washington.

Smith, Irving, Jr., 205 W. 5th Street, Tillamook, Oregon.

Trattner, Harold J., 205 West 5th Street, Tillamook, Oregon.

Waldner, Henry A., 2826 N.E. 29th Avenue, Portland, Oregon.

[Appendix B added by Am. 15, effective 8-14-44]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 8th day of August 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-11859; Filed, August 8, 1944; 11:24 a. m.]

#### PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,<sup>2</sup> Amdt. 139]

##### MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Ration Order 5C is amended in the following respect:

Section 1394.7851 (b) (2) (v) is revoked.

This amendment shall become effective August 15, 1944.

(Pub. Laws 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 8th day of August 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-11853; Filed, August 8, 1944; 11:25 a. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,<sup>2</sup> Amdt. 40]

##### SUGAR

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

\*Copies may be obtained from the Office of Price Administration.

<sup>2</sup> 8 F.R. 15937.

<sup>3</sup> 9 F.R. 1433, 1534, 2233, 2826, 2828, 3031, 3513, 3579, 3847, 3944, 4099, 4350, 4474, 4880, 5220, 5254, 5166, 5426, 5346.

Revised Ration Order 3 is amended in the following respect:

Section 1407.241, Schedule A, Table IV is amended by inserting between the next to the last and the last item, the following item:

Product	Unit (quantity of fruit) (Pounds)	Quantity of sugar allowed in pounds per unit of fruit. Packed in containers of 30-lb. weight or greater	Packed in wrapped packages
Mixed Fruit, Fruit Cocktail, or Fruits for Salads.....	5	1	1

This amendment shall become effective August 12, 1944.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 64, 8 F.R. 7093, 9 F.R. 4319)

Issued this 8th day of August 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-11854; Filed, August 8, 1944; 11:25 a. m.]

#### TITLE 47—TELECOMMUNICATION

##### Chapter I—Federal Communications Commission

#### PART 3—STANDARD AND HIGH FREQUENCY BROADCAST STATIONS

##### STANDARDS OF GOOD ENGINEERING PRACTICE CONCERNING STANDARD BROADCAST STATIONS

NOTE: The "Standards of Good Engineering Practice Concerning Standard Broadcast Stations (550-1600 k. c.) effective August 1, 1939 (revised to July 20, 1940)," has been filed with the Division of the Federal Register.

#### TITLE 49—TRANSPORTATION AND RAILROADS

##### Chapter I—Interstate Commerce Commission

#### PART 95—CAR SERVICE [S. O. 223]

##### CONSTRUCTION MATERIALS FOR ARMY AIR BASE, WOODLAWN, NEBR.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 7th day of August, A. D. 1944.

It appearing that shipments of sand, gravel, or aggregates in carloads originating at South Bend, Nebraska, and destined to Army Air Base, Woodlawn, Nebraska, for use on government construction at Woodlawn are being weighed on railroad track scales, thus impeding the use, control, supply, movement, and distribution of cars; in the opinion of the Commission an emer-

agency exists requiring immediate action to avoid a shortage of equipment and congestion of traffic: It is ordered, That:

*Carloads of sand, gravel, or aggregates destined to Woodlawn, Nebraska, for use on government construction at the Army Air Base, not to be weighed.* (a) No common carrier by railroad subject to the Interstate Commerce Act shall weigh, or permit to be weighed, any shipment of sand, gravel, or aggregates in carloads, on any railroad track scales when such traffic originates on or after the effective date of this order at South Bend, Nebraska, and is destined to Woodlawn, Nebraska, for use on government construction at the Army Air Base, except that a representative number, not to exceed 15 percent of the number of cars shipped, may be weighed to obtain average weights. The operation of all tariff rules or regulations insofar as they conflict with the provisions of this order is hereby suspended.

(b) *Announcement of suspension.* Each of such railroads shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 announcing the suspension of provisions in such tariffs conflicting with this order. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

*It is further ordered,* That this order shall become effective at 5:00 p. m., August 7, 1944, and that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 44-11851; Filed, August 8, 1944;  
11:21 a. m.]

## Notices

### FEDERAL POWER COMMISSION.

[Docket No. G-559]

KANSAS-NEBRASKA NATURAL GAS CO., INC.

ORDER FIXING DATE OF HEARING

AUGUST 7, 1944.

Upon consideration of the application filed on July 3, 1944, by the Kansas-Nebraska Natural Gas Company, Inc., a Kansas corporation having its principal place of business at Phillipsburg, Kansas, for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of ap-

proximately 16 miles of 12 $\frac{3}{4}$ -inch O. D. natural gas steel pipe line extending from its compressor station west of Stockton, in Rooks County, Kansas, northwardly adjoining the route of its existing 6 $\frac{3}{8}$ -inch O. D. natural gas pipe line to replace the latter, and to remove and abandon the 6 $\frac{3}{8}$ -inch pipe line;

The Commission orders, That: (a) A public hearing be held, commencing on August 18, 1944, at 9:45 a. m. (e. w. t.), in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue, N. W., Washington, D. C., respecting the matters involved and the issues presented in this proceeding.

(b) Interested State Commissions may participate in this hearing, as provided in section 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 44-11860; Filed, August 8, 1944;  
11:44 a. m.]

[Docket No. G-564]

CANADIAN RIVER GAS CO.

NOTICE OF APPLICATION

AUGUST 8, 1944.

Notice is hereby given that on August 3, 1944, an application was filed with the Federal Power Commission by Canadian River Gas Company ("Applicant"), a Delaware corporation, having its principal place of business in Amarillo, Texas, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize Applicant to install and operate a 600 horsepower gas engine driven natural gas compressor, a 125 kva gas engine driven electric generator, and other necessary equipment in its Dalhart Compressor Station near Dalhart, Texas, all of which are more fully described in its application.

Applicant asserts that the installation of the above facilities is to assure maintenance of existing natural gas deliveries to Colorado Interstate Gas Company on peak days, which company, in turn, sells such gas for resale in Pueblo, Colorado Springs, Denver, and other communities in Colorado, to Colorado-Wyoming Gas Company, and to Colorado Fuel and Iron Company and other industrial consumers for their own consumption in the State of Colorado.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 26th day of August 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 44-11861; Filed, August 8, 1944;  
11:45 a. m.]

### OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3769]

DAIJINGU TEMPLE

In re: Real property and bank account owned by Daijingu Temple of Hawaii.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the Daijingu Temple of Hawaii is a non-stock membership corporation organized under the laws of the Territory of Hawaii, whose address is 1503 Liliha Street, Honolulu, T. H.;

2. That the Daijingu Temple of Hawaii is acting or purporting to act directly or indirectly for the benefit, or on behalf of, a designated enemy country (Japan), and that it is a national of a designated enemy country (Japan);

3. That the Daijingu Temple of Hawaii is the owner of the property described in subparagraph 4 hereof;

4. That the property described as follows:  
a. Real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A attached hereto and by reference made a part hereof, and real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described as:

All of that certain parcel of land (portion of the land described in Land Patent Grant Number 4617 to W. P. Thomas), situate, lying and being at Wahiawa, in the District of Wahiawa, being Lot Number Twelve (12) of the tract of land known as the "Yamato Tract", as shown on the Map thereof, filed in the Office of the Registrar of Conveyances at Honolulu, as Registered Map Number Two Hundred Eighty One (281),

together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. That certain bank account with the Bishop National Bank of Hawaii, Wahiawa Branch, which is due and owing to, and held for the Daijingu Temple of Hawaii, in the name of "Wahiawa Shibu (Branch) Daijingu", including but not limited to all security rights in and to any and all collateral for all or part of such account, and the right to enforce and collect the same,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraph 4-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 4-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And determining that the Daijingu Temple of Hawaii is controlled by, or acting for or on behalf of, a designated enemy country (Japan), or a person within such country, and is a national of a designated enemy country (Japan);

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 4-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 4-b hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on June 6, 1944.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

#### EXHIBIT A

*First:* All of that certain parcel of land (portion of the land described in and covered by Royal Patent Number 7197, Land Commission Award Number 1173, Apana 1 to Laau), situate, lying and being on the Southeast side of Liliha Street at Koluhi, Honolulu, City and County of Honolulu, Territory of Hawaii, and thus bounded and described:

Beginning at a point on the Southeast side of Liliha Street, and at the north corner of the land conveyed by W. H. Crawford and wife to Robert W. Shingle by deed dated October 25th, 1911, said North corner being North 311.25 feet East, and 392.3 feet from a Government Survey Street Monument near the East corner of Vineyard and Liliha Streets, and running by true azimuths:

1. 327°25' 137.8 feet along a fence;
2. 46°58' 43 feet along a fence;
3. 142°51' 139.2 feet along land conveyed to W. H. Crawford;
4. 230°03' 53.8 feet along Liliha Street to the point of beginning.

*Second:* All of that certain parcel of land (portion of the land described in and covered by Royal Patent Number 7197, Land Commission Award Number 1173, Apana 1 to Laau and also a portion of the land described in and covered by Land Commission

Award Number 6236 to Kaalawaawa), situate, lying and being on the Southeast side of Liliha Street at Koluhi, Honolulu, City and County of Honolulu, Territory of Hawaii, and thus bounded and described:

Beginning at the southeast side of Liliha Street at the North corner of land conveyed to Charles Long by D. P. True by deed dated March 20, 1876, said initial point being North 311.25 feet and East 392.3 feet from a Government Survey Street Monument near the East corner of Vineyard and Liliha Streets, and running by true azimuths:

1. 327°33' 138.0 feet along fence along aforesaid land conveyed to Charles Long;
2. 46°58' 79.0 feet along same;
3. 319°30' 99.1 feet along fence along L. C. A. 7129 to Kamohoula;
4. 235°31' 47.0 feet along Kauluwela, L. C. A. 7713 Ap. 49 to V. Kamamalu;
5. 229°40' 91.2 feet along fence along L. C. A. 2099, Ap. 1 to Kalewemaunu;
6. 147°06' 245.9 feet along fence along Grant 180 to Kekuapalo;
7. 50°02' 72.2 feet along Liliha Street to the initial point.

Excepting and reserving from the above described parcels of land ("First" and "Second") all those portions thereof conveyed by the Trustees of the Dai Jingu Temple of Hawaii, an eleemosynary corporation, to the City and County of Honolulu, a municipal corporation, by Deed dated November 18th, 1925 and recorded in said Registry Office on December 24th, 1925 at 9:35 o'clock A. M. in Liber 804, Pages 167-169, to-wit:

"Beginning at the southwest corner of this piece of land on the new southeast line of Liliha Street, the true azimuth and distance to the new east corner of Liliha and Vineyard Streets being 50°25'20" 436.32 feet, and from a Government Survey Street Monument, near the East corner of Liliha and Vineyard Streets, the true azimuth and distance to the new east corner of Liliha and Vineyard Streets being 286°00' 18.18 feet said monument is on an offset of 15 feet to the new Southeast side of Liliha Street, and on an offset of 10 feet to the northeast side of Vineyard Street, and running by true azimuths from the above described initial point:

1. 141°40' 4.30 feet along fence to the present southeast line of Liliha Street;
2. 229°53' 53.8 feet along the present southeast line of Liliha Street;
3. 230°02'30" 62.2 feet along same;
4. 327°06' 5.27 feet along fence along the southwest side of Lane to the new southeast line of Liliha Street;
5. 50°25'20" 115.44 feet along the new southeast line of Liliha Street to the point of beginning and containing an area of 557 square feet.

Same being a portion of L. C. A. 1173 Apana 1 to Laau and a portion of L. C. A. 6236 Apana 8 to Kaalawaawa, situated on the southeast side of Liliha Street, Honolulu, Oahu, T. H."

[F. R. Doc. 44-11761; Filed, August 7, 1944; 11:31 a. m.]

[Vesting Order 3923]

FREDERIK F. BIERLEE

In re: Unfiled Patent Applications of Frederik F. Bierlee.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Frederik F. Bierlee is a citizen of and resident of Netherlands East Indies and is a national of a foreign country (Netherlands East Indies);

2. That the property identified in subparagraph 3 hereof is property of Frederik F. Bierlee;

3. That the property described as follows: Patent applications identified as follows:

TC Number, Inventor and Title.

- 1088, Frederik F. Bierlee, Metal puppets.  
1090, Frederik F. Bierlee, Hair comb.  
1091, Frederik F. Bierlee, Radio receiver,

is property of a national of a foreign country (Netherlands East Indies);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on July 11, 1944.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 44-11762; Filed, August 7, 1944; 11:31 a. m.]

[Vesting Order 3924]

HEINRICH GOCKEL

In re: Interest of Heinrich Gockel in an agreement with Horace M. Weir.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Heinrich Gockel is a resident of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Heinrich Gockel;

3. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to

sue therefor) created in Heinrich Gockel by virtue of an agreement dated July 23, 1938 (including all modifications thereof and supplements thereto, if any) by and between Dr. Heinrich Gockel and Horace M. Weir, which agreement relates, among other things, to United States Letters Patent No. 2,297,212,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 11, 1944.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 44-11763; Filed, August 7, 1944;  
11:31 a. m.]

[Vesting Order 3925]

#### I. G. FARBENINDUSTRIE A. G.

In re: 44 patents of I. G. Farbenindustrie Aktiengesellschaft.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

No. 158—6

#### 3. That the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in Exhibit A attached hereto and made a part hereof,

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on July 11, 1944.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

#### EXHIBIT A

Patents which are identified as follows:

Patent No., Date, Inventor and Title

Re. 17,548, 12-31-29, Richard Michel, condensation products from olefines and hydrocarbons of the Naphthalene series and process of making same.

1,602,500, 10-12-26, Max Nuss, continuous-absorption apparatus.

1,614,615, 1-18-27, Josef Jannek, G. Wietzel, et al., recovery of volatile substances.

1,656,572, 1-17-28, Hermann Sigismund Schultze, method of agglomerating pulverulent materials.

1,679,256, 7-31-28, Carl Muller, W. Frankenburg, F. Grassner, purifying organic liquid.

1,682,588, 8-28-28, Gustav Wietzel, F. Stoewener, production of dry gases.

1,695,666, 12-18-28, Karl Schirmacher, F. Stolz, H. Schlichenmaler, W. Krohs, process of producing a new catalyst.

1,696,358, 12-25-28, Wolf J. Muller, H. Carstens, J. Drucker, process for the extraction and drying of jellies.

1,704,751, 3-12-29, Martin Luther, H. Jochheim, separation of compounds from mixtures of oxygen-containing organic compounds.

1,744,180, 1-21-30, Eduard Tschunkur, A. Klamroth, process for the publication of synthetic methyl alcohol.

1,776,920, 9-30-30, Alwin Mittasch, M. Muller-Cunradi, iron carbonyl compositions and their manufacture.

1,783,662, 12-2-30, Karl Marx, H. Behncke, K. Brodersen, highly-active catalyst.

1,791,562, 2-10-31, Fritz Hofmann, C. Wulff, cracking oils.

1,798,766, 3-31-31, Fritz Stoewener, manufacture of active adsorbents.

1,802,155, 4-21-31, Martin Muller-Cunradi, A. Kossuth, stable iron carbonyl composition.

1,806,630, 5-26-31, Gerhard Kroner, F. W. Stauf, process for the regeneration of active silica gel.

1,813,478, 7-7-31, Leonid Andrussov, F. Duerr, production of catalysts.

1,814,493, 7-14-31, Adolf Pfannenstiehl, H. Kautsky, catalyst for chemical reactions.

1,815,781, 7-21-31, Gerhard Kroner, manufacture of finely divided active carbon.

1,815,790, 7-21-31, Karl Marx, H. Behncke, H. Zobel, manufacture of finely subdivided metals.

1,816,525, 7-23-31, Richard Gutensohn, process of washing gases and vapors.

1,822,359, 9-8-31, Richard Michel, process of separating ethylene from the higher homologues thereof in gaseous mixtures containing olefines.

1,830,705, 11-3-31, Karl Marx, H. Behncke, K. Brodersen, catalysts.

1,832,153, 11-17-31, Fritz Stoewener, manufacture of inorganic active masses.

1,836,927, 12-15-31, Eduard Linck, H. Hauber, removal of acetylene from gases.

1,860,624, 5-31-32, Karl Sauerwein, production of ethylene from acetylene.

1,870,357, 8-9-32, Alfred Dierichs, new catalyst.

1,871,051, 8-9-32, Hans Franzen, distillation.

1,882,816, 10-18-32, Max Hagedorn, process of enhancing the viscosity of technical oils.

1,889,157, 11-29-32, Julius Soll, C. Runkel, process of chlorinating hydrocarbons.

1,894,792, 1-17-33, Leo Schlecht, H. Roetger, manufacture of valuable products from gaseous unsaturated hydrocarbons.

1,899,339, 2-28-33, Ludwig Klebert, process for the preparation of granulated active charcoal.

1,917,323, 7-11-33, Mathias Pier, R. Wietzel, K. Winkler, producing oxygenated organic compounds.

1,934,123, 11-7-33, Fritz Hofmann, A. Michael, process for the manufacture of condensation products from diolefines and hydrocarbons.

1,962,564, 6-12-34, Friedrich Kuhrmann, O. Siebert, fluorescent hydrocarbon.

1,986,239, 1-5-35, Fritz Winkler, H. Hauber, production of valuable hydrocarbons from gaseous hydrocarbons.

2,005,840, 6-25-35, Rudolf Engelhardt, insulating material.

2,067,331, 1-12-37, Josef M. Michel, anti-knocking motor fuel.

2,067,511, 1-12-37, Georg Stern, W. Hoess, recovery of valuable products from hydrocarbons.

2,071,521, 2-23-37, Hans Hartmann, H. Rabe, production of fluorescence producing substances soluble in hydrocarbon oils.

2,087,614, 7-20-37, Ernst Burgin, binding agent for road construction.

2,090,394, 8-17-37, Alfred Sirot, G. Wick, tars for use in road construction.

2,095,508, 10-12-37, Friedrich Meidert, process of manufacturing naphthenates.

2,113,144, 4-5-38, Alfred Sirot, tars for use in road construction.

[F. R. Doc. 44-11764; Filed, August 7, 1944;  
11:31 a. m.]

[Vesting Order 3928]

## ERICH KNOLLER

In re: Interest of Erich Knoller in agreements with General Motors Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Erich Knoller is a resident of Vienna, Austria (Germany) and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Erich Knoller;

3. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Erich Knoller by virtue of two agreements each dated August 30, 1930 (including all modifications thereof and supplements thereto, if any) by and between Erich Knoller and General Motors Corporation, which agreements relate, among other things, to Patent No. 1,655,503.

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 11, 1944.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 44-11765; Filed, August 7, 1944;  
11:32 a. m.]

[Vesting Order 3927]

## KONRAD KURZ

In re: Interest of Konrad Kurz in an agreement with Hastings & Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Konrad Kurz is a resident of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Konrad Kurz;

3. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Konrad Kurz by virtue of an agreement dated June 6, 1936 (including all modifications thereof and supplements thereto, if any) by and between Konrad Kurz and Hastings & Company, which agreement relates, among other things, to certain United States Letters Patent,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 11, 1944.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 44-11766; Filed, August 7, 1944;  
11:32 a. m.]

[Vesting Order 3928]

## MANTELET ET BOUCHER

In re: Interest of Mantelet et Boucher (Societe en nom Collectif) in an agreement with Foley Manufacturing Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Mantelet et Boucher (Societe en nom Collectif) is a business organization organized under the laws of and having its principal place of business in France and is a national of a foreign country (France);

2. That the property described in subparagraph 3 hereof is property of Mantelet et Boucher (Societe en nom Collectif);

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Mantelet et Boucher (Societe en nom Collectif) by virtue of an agreement dated January 4, 1934 and March 6, 1934 (including all modifications thereof and supplements thereto, including, but not by way of limitation, a supplemental agreement dated November 3, 1934 and April 28, 1935, and a further supplemental agreement entered into by correspondence and relating to Patent No. 2,054,038) by and between the said Mantelet et Boucher (Societe en nom Collectif) and Foley Manufacturing Company, which agreement relates, among other things, to certain United States Letters Patent, including Patent No. 1,921,936,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 11, 1944.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 44-11767; Filed, August 7, 1944;  
11:32 a. m.]

[Vesting Order 3929]

ALEXANDER MELCHIOR

In re: Interest of Alexander Melchior in an agreement with General Motors Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Alexander Melchior is a resident of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Alexander Melchior;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Alexander Melchior by virtue of an agreement dated November 5, 1932 (including all modifications thereof and supplements thereto, if any) by and between Alexander Melchior and General Motors Corporation, which agreement relates, among other things, to Patent No. 2,095,569,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an

admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 11, 1944.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 44-11768; Filed, August 7, 1944;  
11:32 a. m.]

[Vesting Order 3930]

GIUSEPPE PECAR

In re: Unfiled patent application of Giuseppe Pecar.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Giuseppe Pecar is a citizen of Italy and a resident of France and is a national of foreign countries (Italy and France);

2. That the property identified in subparagraph 3 hereof is property of Giuseppe Pecar;

3. That the property described as follows:  
The unfiled patent application identified as follows:

*TC Number, Date, Inventor, and Title*

1093, 7-13-39, Giuseppe Pecar, hinge for fastening or locking devices, particularly suitable for furniture.

together with the entire right, title and interest throughout the United States and its territories in and to, including the right to file applications in the United States Patent Office for Letters Patent for, the invention or inventions shown or described in such application,

is property of a national of foreign countries (Italy and France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a

hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 11, 1944.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 44-11769; Filed, August 7, 1944;  
11:33 a. m.]

[Vesting Order 3931]

SIEMENS & HALSKE A. G.

In re: Interest of Siemens & Halske Aktiengesellschaft in an agreement dated November 1, 1938 with Westinghouse Electric & Manufacturing Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Siemens & Halske Aktiengesellschaft is a corporation organized under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Siemens & Halske Aktiengesellschaft;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Siemens & Halske Aktiengesellschaft by virtue of an agreement dated November 1, 1938 (including all modifications thereof and supplements thereto, if any) by and between Westinghouse Electric & Manufacturing Company and Siemens & Halske Aktiengesellschaft, which agreement relates, among other things, to Patent Number 1,940,300,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any

claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 11, 1944.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 44-11770; Filed, August 7, 1944;  
11:33 a. m.]

[Vesting Order 3932]

KALMAN VON KANDO

In re: Interests of the heirs of Kalman von Kando in an agreement between Kalman von Kando and Westinghouse Electric & Manufacturing Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Kalman von Kando, deceased, was a citizen and resident of Hungary and was a national of a foreign country (Hungary);

2. That all of the executors, administrators, heirs and assigns of Kalman von Kando are residents of Hungary and are nationals of a foreign country (Hungary) or, if they are not residents of such foreign country, are acting with respect to the property described in subparagraph 4 hereof for the benefit of a resident of such foreign country and are to that extent nationals of such foreign country;

3. That the property described in subparagraph 4 hereof is property of the executors, administrators, heirs and assigns of Kalman von Kando;

4. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement herein-after described, together with the right to sue therefor) created in Kalman von Kando by virtue of an agreement dated December 3, 1926 (including all modifications thereof and supplements thereto, if any) by and between Kalman von Kando and the Westinghouse Electric & Manufacturing Company, relating, among other things, to United States Letters Patent No. 1,871,286,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an ap-

propriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 11, 1944.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 44-11771; Filed, August 7, 1944;  
11:33 a. m.]

[Vesting Order 3944]

BURMEISTER & WAIN'S MASKIN-OG-SKIBSYGGERI

In re: Patents and interest of Burmeister & Wain's Maskin-og-Skibsyggeri in agreements with Nordberg Manufacturing Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Burmeister & Wain's Maskin-og-Skibsyggeri is a corporation organized under the laws of and having its principal place of business in Denmark and is a national of a foreign country (Denmark);

2. That all of the individuals to whom reference is made in the column headed "Inventors" in Exhibit A attached hereto and made a part hereof are residents of Denmark and are nationals of a foreign country (Denmark);

3. That the patents described in subparagraph 5 (a) hereof are property of Burmeister & Wain's Maskin-og-Skibsyggeri and/or the persons whose names appear in the column headed "Inventors" opposite the respective numbers thereof in said Exhibit A;

4. That the property described in subparagraph 5 (b) hereof is property of Burmeister & Wain's Maskin-og-Skibsyggeri;

5. That the property described as follows: (a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in Exhibit A attached hereto and made a part hereof,

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Burmeister &

Wain's Maskin-og-Skibsyggeri by virtue of an agreement dated September 1, 1936 (including all modifications thereof and supplements thereto, including, but not by way of limitation, supplemental agreements dated respectively July 18, 1938 and November 1, 1939) by and between said Burmeister & Wain's Maskin-og-Skibsyggeri and Nordberg Manufacturing Company, which agreement relates, among other things, to certain United States Letters Patent,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Denmark);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 17, 1944.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

EXHIBIT A

Patent Number, Date of Issue, Inventor,  
and Title

1,747,935, 2-18-30, Torkild V. Hemmingsen, fuel valve for internal-combustion engines.  
1,759,367, 5-20-30, Ove Petersen, injection valve for internal combustion engines.  
1,792,444, 2-10-31, Ove Petersen, double-acting internal combustion engines.  
1,803,250, 4-28-31, Torkild V. Hemmingsen, internal combustion engine.  
1,823,399, 9-15-31, Torkild V. Hemmingsen, scavenging for two-stroke I. C. engines.  
1,841,764, 1-19-32, Einar Solver, gudgeon pin especially for trunk pistons in I. C. engines.  
1,875,457, 9-6-32, Torkild V. Hemmingsen, cooling device for injection nozzles of I. C. engines.

1,900,605, 3-7-33, Torkild V. Hemmingsen, controlling device for controlling pistons of internal combustion engines.

1,904,056, 4-18-33, Viggo A. Kjaer, reversible rotary blower or pump.

1,916,482, 7-4-33, Viggo A. Kjaer, yieldable gearing.

1,925,755, 9-5-33, Torkild V. Hemmingsen, shaft angularity adjusting device.

1,943,143, 1-9-34, Ove Petersen, double-acting internal combustion engine.

1,958,148, 5-8-34, Viggo A. Kjaer, device for counter-balancing or diminishing the vibrations occurring in the stationary parts of engine plants and the like.

2,002,115, 5-21-35, Viggo A. Kjaer, resilient coupling.

2,028,459, 1-21-36, Viggo A. Kjaer, device for reducing torsional vibrations in shafts.

2,049,841, 8-4-36, Viggo A. Kjaer, chain.

2,103,161, 12-21-37, Viggo A. Kjaer, lubricating device for driving chains.

2,116,025, 5-3-38, Torkild V. Hemmingsen, engine speed governor.

2,116,192, 5-3-38, Per Draminsky, elastic coupling.

2,217,549, 10-8-40, Torkild V. Hemmingsen, valve spring for engines.

2,217,550, 10-8-40, Torkild V. Hemmingsen, crankshaft.

2,219,093, 10-22-40, Otto Lund and Ove Petersen, two-stroke I. C. engine.

2,223,898, 12-3-40, Ove Petersen and Einar Solver, two-stroke internal combustion engine.

2,248,681, 7-8-41, Torkild V. Hemmingsen, welded frame and bedplate for vertical piston machines.

2,250,376, 7-22-41, Torkild V. Hemmingsen, cylinder construction for I. C. engines.

2,250,378, 7-22-41, Adolf Houmoller, cylinder construction for I. C. engines.

2,254,410, 9-2-41, Haakon C. H. Andresen, multicylinder, single-acting, two-stroke cycle internal combustion engine of the cross-head type.

[F. R. Doc. 44-11772; Filed, August 7, 1944; 11:33 a. m.]

[Vesting Order 3945]

#### SIEMENS-SCHUCKERTWERKE A. G.

In re: Patent and interest of Siemens-Schuckertwerke A. G. in agreements with Benson Super-Power Corporation and Westinghouse Electric and Manufacturing Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Richard Biersack and Karl Schroder are citizens and residents of Germany and are nationals of a foreign country (Germany);

2. That Siemens-Schuckertwerke A. G. is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

3. That the property described in subparagraph 5a hereof is property of Richard Biersack and Karl Schroder;

4. That the property described in subparagraphs 5b and 5c hereof is property of Siemens-Schuckertwerke A. G.;

5. That the property described as follows:  
(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

#### Patent Number, Date of Issue, Inventor, and Title

2,037,493, 4-14-36, Richard Biersack and Karl Schroder, heavy duty steam generators.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Siemens-Schuckertwerke A. G. by virtue of an agreement marked "B" and dated October 21, 1937 (including all modifications thereof and supplements thereto, if any) by and between Siemens-Schuckertwerke A. G. and Benson Super-Power Corporation, relating, among other things, to certain United States Letters Patent, including Patent No. 2,037,493.

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Internationale Benson-Patent-Verwertungs A. G. by virtue of a letter agreement dated October 14 and 16, 1933 (including all modifications thereof and supplements thereto, if any) by and between Internationale Benson-Patent-Verwertungs A. G. and Westinghouse Electric and Manufacturing Company, relating, among other things, to certain United States Letters Patent, including Patent No. 2,126,248, is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States: *Provided, however,* That the property herein vested shall not include any right, title or interest of Benson Super-Power Corporation in and to the agreement identified in subparagraph 5c hereof, nor shall such vesting disturb in any way the rights of said Benson Super-Power Corporation with respect to such agreement or affect adversely in any way any right, title, interest or privilege which it may have with respect thereto.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a

hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 17, 1944.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 44-11773; Filed August 7, 1944; 11:33 a. m.]

[Vesting Order 3980]

#### ANNE SOPHIE DOROTHEA BOECKMANN

In re: Trust under the will of and estate of Anne Sophie Dorothea Boeckmann, also known as Anna Sophia Dorothea Boeckmann, Sophie Boeckmann, Sophie G. Boeckmann, Mrs. Sophie Boeckmann, Mrs. Sophie G. Boeckmann, and Sophie Gill Boeckmann, deceased; File D-28-3712; E. T. sec. 6177).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Dr. Egil Boeckmann, 366 Summit Avenue, St. Paul, Minnesota, Trustee, acting under the judicial supervision of the District Court of Ramsey County, Second Judicial District, Minnesota;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

#### Nationals and Last Known Address

Mrs. Helga Seyler, Germany.

Issue, name or names unknown, of Mrs. Helga Seyler, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Mrs. Helga Seyler, and issue, name or names unknown, of Mrs. Helga Seyler, and each of them, in and to the Trust under the Will of and in and to the Estate of Anne Sophie Dorothea Boeckmann, also known as Anna Sophia Dorothea Boeckmann, Sophie Boeckmann, Sophie G. Boeckmann, Mrs. Sophie Boeckmann, Mrs. Sophie G. Boeckmann, and Sophie Gill Boeckmann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: July 28, 1944.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 44-11775; Filed, August 7, 1944;  
11:31 a. m.]

[Vesting Order 3981]

#### ANTON BRAUN AND MINNIE BRAUN

In re: Mortgage Participation Certificate No. 303 of Series N-66 issued by New York Title and Mortgage Company to Anton Braun and Minnie Braun, having a face value of \$4,000; File No. F-28-2122; E.T. sec. 897.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

#### Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by Brooklyn Trust Company, 215 Montague Street, Brooklyn, New York, Trustee, acting under the judicial supervision of the Supreme Court of the State of New York, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

#### Nationals and Last Known Address

Anton Braun, Steiermark, Germany.  
Minnie Braun, Steiermark, Germany.

#### And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anton Braun and Minnie Braun, and each of them, in and to the mortgage participation certificate No. 303 of Series N-66, having a face value of \$4,000, issued by the New York Title and Mortgage Company,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: July 28, 1944.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 44-11776; Filed, August 7, 1944;  
11:31 a. m.]

[Vesting Order 3982]

#### ADOLPH SIEBRECHT

In re: Estate of Adolph Siebrecht, deceased; File D-28-7738; E. T. sec. 8601.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

#### Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by Frieda Maydag, 850 Herkimer Street, Brooklyn, New York, Executrix, acting under the judicial supervision of the Surrogate's Court, Kings County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

#### Nationals and Last Known Addresses

Dorette Funck and her children, Hamburg, Germany.  
Hermine Burmester and her children, Hamburg, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Dorette Funck, and her children, and Hermine Burmester, and her children, and each of them, in and to the estate of Adolph Siebrecht, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: July 28, 1944.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 44-11777; Filed, August 7, 1944;  
11:31 a. m.]

[Vesting Order 3609, Amdt.]

N. Y. HAMBURGER GUMMI-WAAREN COMPAGNIE AND DEUTSCHE TORNESIT G. M. B. H.

Vesting Order Number 3609 of May 6, 1944 is hereby amended as follows and not otherwise:

By changing subparagraphs 2 and 3 thereof to read as follows:

2. That the property described in subparagraph 4a hereof is property of Deutsche Tornesit-Gesellschaft m. b. H.;

3. That the property described in subparagraph 4b hereof is property of New York Hamburger Gummi-Waaren Compagnie

and/or Deutsche Tornesit-Gesellschaft  
m. b. H;

All other provisions of said Vesting Order Number 3609 and all action taken on behalf of the Alien Property Custodian in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on July 11, 1944.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 44-11774; Filed, August 7, 1944;  
11:33 a. m.]

C. MARTIN RIEDEL

NOTICE OF HEARING

Order for and notice of hearing before Vested Property Claims Committee, in the matter of C. Martin Riedel.

Whereas, by Vesting Order No. 141 of September 8, 1942 (7 F.R. 8311) and Vesting Order No. 201 of October 2, 1942 (8 F.R. 625), the Alien Property Custodian vested, among other things, the following described property:

All right, title, interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation, or government for past infringements thereof, in and to United States Patents No. 1,815,876, 1,820,722, and 1,846,815 registered in the United States Patent Office in the name of Siemens-Bauunion G. m. b. H. Kommanditgesellschaft; United States Patent No. 1,827,238 registered in the names of Hugo Joosten, Tiefbau und Kälteindustrie A. G. vorm. Gebhardt and Koenig, and Siemens Bauunion G. m. b. H. Kommanditgesellschaft; and United States Patent No. 2,081,541 registered in the name of Hugo Joosten; the registrants all of Germany.

Whereas C. Martin Riedel has filed Notices of Claims Nos. 130, 815 and 1332 wherein he asserts that he is a resident and citizen of the United States and is the owner of and/or has an interest in said patents and/or the royalties accrued and to accrue therefrom.

Now therefore, it is ordered, Pursuant to the regulations heretofore issued by the Alien Property Custodian, as amended (8 F.R. 16709), that a hearing on said claims be held before the Vested Property Claims Committee or any member or members thereof on Thursday, August 17, 1944, at 10:00 a. m. central war time, at the Office of the Alien Property Custodian, Room 648, 135 South La Salle Street, Chicago, Illinois, to continue thereafter at such time and place as the Committee may determine. It is further ordered, That copies of this notice of hearing be served by registered mail upon the claimants and upon the person designated in paragraph 2 of the said notices of claims, and be filed with the Division of the Federal Register.

Any person desiring to be heard either in support of or in opposition to the claims may appear at the hearing, and is requested to notify the Vested Property Claims Committee, Office of Alien Property Custodian, National Press Building, 14th and F Streets, NW., Washington, (25), D. C., on or before August 14, 1944.

The foregoing characterization of the claims is for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claims. Copies of the claims and of the said vesting order are available for public inspection at the address last above stated.

By authority of the Alien Property Custodian.

Dated: August 3, 1944.

[SEAL] VESTED PROPERTY CLAIMS  
COMMITTEE,  
JOHN C. FITZGERALD,  
Chairman.

[F. R. Doc. 44-11778; Filed, August 7, 1944;  
11:33 a. m.]

## OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Administrative Order ODT 18-1]

DIVISION DIRECTOR, PROPERTY OPERATIONS  
DIVISION, HIGHWAY TRANSPORT DEPARTMENT

### DELEGATION OF AUTHORITY

Pursuant to § 503.375 of Administrative Order ODT 18 (9 F.R. 5997):

1. *Delegation of authority.* The Division Director, Property Operations Division, Highway Transport Department, Office of Defense Transportation, hereby is authorized and directed as follows:

(a) *Transportation of dairy products.* To administer the provisions of Administrative Order ODT 19 (9 F.R. 2693), having full power and authority:

(i) To approve the election of Area Dairy Industry Transportation Advisory Committees, including the members and officers thereof;

(ii) To approve the designation of the area within which any such committee proposes to act;

(iii) To withdraw, in whole or in part, any approval granted pursuant to the provisions of subparagraphs (i) and (ii) of this subparagraph (a);

(iv) To designate an area, or areas, within which a district manager is authorized to administer the provisions of § 501.101 of General Order ODT 21, as amended (7 F.R. 7100; 8 F.R. 2510) pursuant to the provisions of § 503.389 of Administrative Order ODT 19;

(v) To approve the issuance of directions by district managers within the purview of the limitations prescribed by paragraphs (b), (c), and (d) of § 503.391 of Administrative Order ODT 19; and,

(vi) In his discretion, at any time, to exercise the right of general control, supervision, modification, or revocation in any specific case;

(b) *Transportation of farm products.* To administer the provisions of Administrative Order ODT 26 (9 F.R. 7456) having full power and authority:

(i) To approve the election of industry transportation advisory committees, including the members and officers thereof;

(ii) To approve the designation of the area within which any such committee proposes to act;

(iii) To approve the segments of the industry represented on any such committee;

(iv) To withdraw, in whole or in part, any approval granted pursuant to the provisions of subparagraphs (i), (ii), and (iii) of this subparagraph (b);

(v) To designate an area, or areas, within which a district manager is authorized to administer the provisions of § 501.101 of General Order ODT 21, as amended, pursuant to the provisions of § 503.454 of Administrative Order ODT 26;

(vi) To approve the issuance of directions by district managers within the purview of the limitations prescribed by subparagraph (a) of § 503.456 of Administrative Order ODT 26; and,

(vii) In his discretion, at any time, to exercise the right of general control, supervision, modification, or revocation in any specific case;

(c) *Industry transportation plans.* To administer the provisions of the recommendation for industry transportation plans for transportation of agricultural commodities and products, as amended, issued March 22, 1943, by the Director of the Office of Defense Transportation to the Chairman of the War Production Board, and duly approved and certified by said Chairman to the Attorney General pursuant to the provisions of Section 12 of Public Law No. 603, 77th Congress (56 Stat. 357) by Certificate 28, as amended, (8 F.R. 1668, 3747), having full power and authority:

(i) To approve or disapprove industry transportation committees as constituted;

(ii) To exercise the right reserved by the Office of Defense Transportation to remove any person selected as a member of any such committee subsequent to approval of such committee;

(iii) To recognize and authorize such committees to act within the areas designated by them in the formulation of industry transportation plans;

(iv) To designate an employee of the Office of Defense Transportation to act as administrator of any such industry transportation plan; and,

(v) To decide appeals from the decisions of district managers in respect of complaints of motor carriers participating in such industry transportation plans;

(d) *Transportation of livestock.* To administer the provisions of the recommendation for transportation of livestock by commercial motor vehicle, issued August 20, 1943, by the Director of the Office of Defense Transportation to the Chairman of the War Production Board, and duly approved and certified by said Chairman to the Attorney General pursuant to the provisions of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357) by Certificate No. 115 (8 F.R. 11702), having full power and authority:

(i) To approve designations of areas other than those described for districts of the Highway Transport Department by Administrative Order ODT 6A, as corrected, (9 F.R. 7451, 8150) within which area livestock industry transport-

tation advisory committees may function;

(ii) To approve the election or selection of area livestock industry transportation advisory committees;

(iii) To remove, at any time, any person elected or selected as a member of any such committee;

(iv) To recognize such committees as exclusively authorized to act within designated areas in effectuating the purposes and provisions of said recommendation;

(v) To appoint employees of the Office of Defense Transportation as administrators provided by paragraph numbered 6 of said recommendation; and,

(vi) To decide appeals from the decisions of regional directors in respect of the complaints of producers, motor carriers, dealers, or processors as to acts performed by such administrators or committees;

(e) *General authorization.* To do any or all things, whether or not herein enumerated, that are necessary or proper for the complete exercise of the powers specifically or generally delegated by subparagraphs (a) to (d), inclusive, of this paragraph 1.

2. *Supervision and reservation.* The exercise of the authority hereby conferred shall, in all things, be subject to the general control and supervision, and the right of modification or revocation in any specific case, of the Assistant Director in charge of the Highway Transport Department, Office of Defense Transportation. Notwithstanding any of the provisions of this order, the said Assistant Director may, in his discretion, exercise from time to time the authority or perform any of the functions or duties delegated by this order.

This Supplementary Administrative Order ODT 18-1 shall become effective August 4, 1944.

Issued at Washington, D. C., this 4th day of August 1944.

GUY A. RICHARDSON,  
Assistant Director in Charge of  
Highway Transport Department,  
Office of Defense Transportation.

[F. R. Doc. 44-11837; Filed, August 8, 1944;  
10:38 a. m.]

[Supp. Order ODT 20A-155]

#### CERTAIN TAXICAB OPERATORS

#### COORDINATED OPERATIONS IN TICONDEROGA, N. Y., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Ticonderoga, New York, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and

providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Albany, New York, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-155" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Albany 7, New York.

8. This order shall become effective August 15, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of August 1944.

J. M. JOHNSON,  
Director,

Office of Defense Transportation.

#### APPENDIX 1

John J. Fortino, Ticonderoga, New York.  
Tony Fortino, Ticonderoga, New York.  
Alden Porter, Ticonderoga, New York.  
James J. Malaney, Ticonderoga, New York.  
Martin W. Hogle, Ticonderoga, New York.  
Guy W. Delano, Ticonderoga, New York.

[F. R. Doc. 44-11838; Filed, August 8, 1944;  
10:38 a. m.]

[Supp. Order ODT 20A-156]

#### CERTAIN TAXICAB OPERATORS

#### COORDINATED OPERATIONS IN THE ABERDEEN, S. DAK., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Aberdeen, South Dakota, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this

<sup>1</sup> Filed as part of the original document.

order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Sioux Falls, South Dakota, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-156" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Sioux Falls, South Dakota.

8. This order shall become effective August 15, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of August 1944.

J. M. JOHNSON,  
Director,

Office of Defense Transportation.

#### APPENDIX 1

Yellow Cab Lines, 15 Third Avenue SE.,  
Aberdeen, South Dakota.

City Cab Line, 522 South Main Street, Aberdeen,  
South Dakota.

[F. R. Doc. 44-11839; Filed, August 8, 1944;  
10:38 a. m.]

[Supp. Order ODT 20A-157]

#### CERTAIN TAXICAB OPERATORS

#### COORDINATED OPERATIONS IN ENFIELD, N. H., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called

"operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and it appearing that the operators purpose, by the plan, to coordinate their taxicab operations within the area of Enfield, New Hampshire, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Concord, New Hampshire, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this or-

<sup>1</sup> Filed as part of original document.

der. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-157" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Concord, New Hampshire.

8. This order shall become effective August 15, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of August 1944.

J. M. JOHNSON,  
Director,

Office of Defense Transportation.

#### APPENDIX 1

Stillman F. Graves, Lake Street, Enfield,  
New Hampshire.

George W. Campbell, Main Street, Enfield,  
New Hampshire.

[F. R. Doc. 44-11840; Filed, August 8, 1944;  
10:38 a. m.]

#### OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 900]

BEAVER FORK COAL CO., ET AL.

#### ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 900 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 4. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

THE BEAVER FORK COAL CO., 203 Y.O. TERMINAL BLDG., YOUNGSTOWN, OHIO, BEAVER FORK MINE, NO. 5 SEAM, MINE INDEX NO. 2531, MAHONING COUNTY, OHIO, SUB-DIST. 4, STRIP MINE

Price Classification	Middle F. O. District		Railroad fuel price group No. 113					Rail shipping point: Sebring, Ohio				
Size Group Nos.	1	2	3	4	5	6	7	8	9	10	11	12
Rail Shipments and Railroad Fuel	330	325	200	295	290	280	250	240	280	235	-----	280
Truck Shipment*	370	360	345	320	320	290	255	245	-----	-----	-----	-----

\*Previously established.

THE BEAVER FORK COAL CO., 203 Y.O. TERMINAL BLDG., YOUNGSTOWN, OHIO, PARRAL MINE, NO. 5 SEAM, MINE INDEX NO. 2532, TUSCARAWAS COUNTY, OHIO, SUB-DIST. 4, STRIP MINE

Price Classification	Middle F. O. District		Railroad fuel price group No. 102					Rail shipping point: Dover, Ohio				
Size Group Nos.	1	2	3	4	5	6	7	8	9	10	11	12
Rail Shipments and Railroad Fuel	330	325	200	295	290	280	250	240	280	235	-----	280
Truck Shipment*	360	350	335	320	320	280	255	245	-----	-----	-----	-----

\*Previously established.

CENTRAL STATES CONSTRUCTION CO., NEW PLYMOUTH, OHIO, ORLAND MINE, 4A SEAM, MINE INDEX NO. 4058, VINTON COUNTY, OHIO, SUB-DIST. 7, STRIP MINE

Price Classification	Jackson F. O. District		Railroad fuel price group No. 104					Rail shipping point: Orland, Ohio				
Size Group Nos.	1	2	3	4	5	6	7	8	9	10	11	12
Rail shipments and railroad fuel	350	345	305	305	305	275	255	245	275	245	-----	275
Truck shipment	380	370	360	335	330	265	230	220	-----	-----	-----	-----

THE FINZER BROTHERS CLAY CO., SUGARCREEK, OHIO, FINZER STRIP MINE, 3 A SEAM, MINE INDEX NO. 4056, TUSCARAWAS COUNTY, OHIO, SUB-DIST. 4, STRIP MINE. PRICE CLASSIFICATION, MIDDLE F. O. DISTRICT, RAILROAD FUEL PRICE GROUP NO. 119, RAIL SHIPPING POINT: SUGARCREEK, OHIO

Size group Nos.												
1	2	3	4	5	6	7	8	9	10	11	12	
Rail shipments and railroad fuel	330	325	300	295	290	280	250	240	280	235	-----	280
Truck shipment	360	350	335	320	320	280	255	245	-----	-----	-----	-----

JAMESON COAL CO., 1404 TRACTION BLDG., CINCINNATI 2, OHIO, JAMESON MINE, NO. 6 SEAM, MINE INDEX NO. 4052, PERRY COUNTY, OHIO, SUB-DIST. 5, STRIP MINE. PRICE CLASSIFICATION, HOCKING F. O. DISTRICT, RAILROAD FUEL PRICE GROUPS NO. 102-113-104, RAIL SHIPPING POINT: SHAWNEE, OHIO AND NEW STRAITSVILLE, OHIO

Size group Nos.												
1	2	3	4	5	6	7	8	9	10	11	12	
Rail shipments and railroad fuel	350	345	305	305	305	275	255	245	275	245	-----	275
Truck shipment	365	355	345	320	315	265	230	220	-----	-----	-----	-----

This order shall become effective August 8, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of August 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-11798; Filed, August 7, 1944; 11:45 a. m.]

[MPR 120, Order 899]

BEUNIER BROTHERS COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 899 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an accompanying opinion, and in accordance with

§ 1340.210 (a) (6) of Maximum Price Regulation No. 120, It is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

BEUNIER BROTHERS COAL CO., 615 MAGEE AVE., PATTON, PA., ASHCROFT #35 MINE, D SEAM, MINE INDEX NO. 5058, CAMBRIA COUNTY, PA., SUBDISTRICT 17, RAIL SHIPPING POINT: PATTON, PA., DEEP MINE

Size Group Nos.					
1	2	3	4	5	
Price classification	E	E	E	E	E
Rail shipment	355	335	335	315	315
R. R. locomotive fuel	320	320	305	295	295
Truck shipment	365	340	340	330	330

CARMARCO AND MILLER, P. O. BOX 44, PUNXSUTAWNEY, PA., NO. 2 MINE, C SEAM, MINE INDEX NO. 5107, INDIANA COUNTY, PA., SUBDISTRICT 12, RAIL SHIPPING POINT: SIDING 116 PA., STRIP MINE

Price classification	G	G	G	G	G
Rail shipment	330	330	315	305	305
R. R. locomotive fuel	320	320	305	295	295
Truck shipment	355	330	330	320	310

CLEAR COAL CO., CARE OF JOSEPH WAROQUIER, 131 W. 5TH AVE., CLEARFIELD, PA., CLEAR MINE, D SEAM, MINE INDEX NO. 5116, CLEARFIELD COUNTY, PA., SUB-DISTRICT 7, RAIL SHIPPING POINT: WOODLAND, PA., STRIP MINE

Price classification	F	F	F	F	F
Rail shipment	335	335	335	305	305
R. R. locomotive fuel	320	320	305	295	295
Truck shipment	360	335	335	325	315

G AND C COAL CO., 309 N. FRONT ST. PHILIPSBURG, PA., NO. 1 MINE, D SEAM, MINE INDEX NO. 5008, CLEARFIELD COUNTY, PA., SUB-DISTRICT 19, RAIL SHIPPING POINT: IRVONA, PA., STRIP MINE

Price classification	C	C	C	C	C
Rail shipment	370	365	345	330	330
R. R. locomotive fuel	320	320	305	295	295
Truck shipment	375	350	350	340	330

GODIN AND SARICKS, KURTZ BLDG., CLEARFIELD, PA., G AND S NO. 3 DEEP MINE, D SEAM, MINE INDEX NO. 5136, CLEARFIELD COUNTY, PA., SUB-DISTRICT 18, RAIL SHIPPING POINT: LA JOSE, PA., DEEP MINE

Price classification	F	F	F	F	F
Rail shipment	335	335	335	305	305
R. R. locomotive fuel	320	320	305	295	295
Truck shipment	360	335	335	325	315

GODIN AND SARICKS, KURTZ BLDG., CLEARFIELD, PA., G AND S NO. 3 STRIP MINE, D SEAM, MINE INDEX NO. 5137, CLEARFIELD COUNTY, PA., SUB-DISTRICT 18, RAIL SHIPPING POINT: LA JOSE, PA., STRIP MINE

Price classification	F	F	F	F	F
Rail shipment	335	335	335	305	305
R. R. locomotive fuel	320	320	305	295	295
Truck shipment	360	335	335	325	315

HESS COAL CO., DIXONVILLE, PA., HESS NO. 4 MINE, D SEAM, MINE INDEX NO. 5115, INDIANA COUNTY, PA., SUB-DISTRICT 15, RAIL SHIPPING POINT: CLYMER AND DIXONVILLE, PA., STRIP MINE

Price classification	F	F	F	F	F
Rail shipment	335	335	335	305	305
R. R. locomotive fuel	320	320	305	295	295
Truck shipment	360	335	335	325	315

HILL BROTHERS (COAL), LOCK BOX 235, MORRISDALE, PA., HILL NO. 7-E MINE, E SEAM, MINE INDEX NO. 5140, CLEARFIELD COUNTY, PA., SUB-DISTRICT 20, RAIL SHIPPING POINT: JANESVILLE, PA., STRIP MINE

Price classification	F	F	F	F	F
Rail shipment	335	335	335	305	305
R. R. locomotive fuel	320	320	305	295	295
Truck shipment	360	335	335	325	315

McINTOSH COAL CO., 417 JUNIATA ST., DU BOIS, PA.,  
McINTOSH MINE, D SEAM, MINE INDEX NO. 5104,  
JEFFERSON COUNTY, PA., SUB-DISTRICT 6, RAIL SHIP-  
PING POINT: REYNOLDSVILLE, PA., STRIP MINE

	Size Group Nos.				
	1	2	3	4	5
Price classification.....	F	F	F	F	F
Rail shipment.....	335	335	335	305	305
R. R. locomotive fuel.....	320	320	305	295	295
Truck shipment.....	360	335	335	325	315

MARION COAL CO., BEAVERDALE, PA., FRANCIS #1  
MINE, D SEAM, MINE INDEX NO. 5160, INDIANA  
COUNTY, PA., SUB-DISTRICT 15, RAIL SHIPPING POINT:  
SAVAN, PA., STRIP MINE

	F	F	F	F	F
Price classification.....	335	335	335	305	305
Rail shipment.....	320	320	305	295	295
R. R. locomotive fuel.....	360	335	335	325	315
Truck shipment.....					

MARION COAL CO., BEAVERDALE, PA., FRANCIS NO. 2  
MINE, C SEAM, MINE INDEX NO. 5161, INDIANA  
COUNTY, PA., SUB-DISTRICT 15, RAIL SHIPPING POINT:  
SAVAN, PA., STRIP MINE

	G	G	G	G	G
Price classification.....	330	330	315	305	305
Rail shipment.....	320	320	305	295	295
R. R. locomotive fuel.....	355	330	330	320	310
Truck shipment.....					

E. M. REED CONTRACTOR AND CO., DISTANT, PA.,  
TRAISTE NO. 1 MINE, B SEAM, MINE INDEX NO.  
5146, CLARION COUNTY, PA., SUB-DISTRICT 4, RAIL  
SHIPPING POINT: RIMERSBURG, PA., STRIP MINE

	G	G	G	H	H
Price classification.....	330	330	315	285	285
Rail shipment.....	320	320	305	295	295
R. R. locomotive fuel.....	355	330	330	315	305
Truck shipment.....					

RIDDLESBURG COAL AND COKE CO., SAXTON, PA.,  
BACON #5 MINE, KELLEY SEAM, MINE INDEX NO.  
5146, BEDFORD COUNTY, PA., SUB-DISTRICT 39, RAIL  
SHIPPING POINT: BACON #5 SDG., PA., DEEP MINE

	F	F	F	F	F
Price classification.....	425	425	390	365	350
Rail shipment.....	425	425	390	365	350
R. R. locomotive fuel.....	425	425	390	365	350
Truck shipment.....					

RIDDLESBURG COAL AND COKE CO., SAXTON, PA.,  
SHANNON TRACT BARNETT MINE, BARNETT SEAM,  
MINE INDEX NO. 5142, HUNTINGDON COUNTY, PA.,  
SUB-DISTRICT 39, RAIL SHIPPING POINT: JILL RAMP  
NO. 1, PA., STRIP MINE

	B	B	B	B	B
Price classification.....	425	425	390	365	350
Rail shipment.....	425	425	390	365	350
R. R. locomotive fuel.....	425	425	390	365	350
Truck shipment.....					

RIDDLESBURG COAL AND COKE CO., SAXTON, PA.,  
SHANNON TRACT FULTON MINE, FULTON SEAM,  
MINE INDEX NO. 5143, HUNTINGDON COUNTY, PA.,  
SUB-DISTRICT 39, RAIL SHIPPING POINT: JILL RAMP  
NO. 1, PA., STRIP MINE

	B	B	B	B	B
Price classification.....	425	425	390	365	350
Rail shipment.....	425	425	390	365	350
R. R. locomotive fuel.....	425	425	390	365	350
Truck shipment.....					

SEANOR COAL CO., CARE OF CLARENCE F. HART,  
SEANOR, PA., SEANOR MINE, B SEAM, MINE INDEX  
NO. 5141, SOMERSET COUNTY, PA., SUBDISTRICT 32,  
DEEP MINE

	365	340	340	330	320
Truck shipment.....					

SOMERSET CONSTRUCTION CO., 1301 TOWSON ST.,  
BALTIMORE 30, Md., BACKBONE NO. 1 MINE, B SEAM,  
MINE INDEX NO. 5147, GARRETT COUNTY, PA., SUB-  
DISTRICT 45, RAIL SHIPPING POINT: GORMAN, Md.,  
STRIP MINE

	E	E	E	E	E
Price classification.....	355	335	335	315	315
Rail shipment.....	320	320	305	295	295
R. R. locomotive fuel.....	365	340	340	330	320
Truck shipment.....					

TOMER COAL COMPANY, 256 N. 6TH ST., INDIANA, PA.,  
TOMER NO. 3 MINE, D SEAM, MINE INDEX NO.  
5162, INDIANA COUNTY, PA., SUBDISTRICT 15, RAIL  
SHIPPING POINT: CLYMER, PA., STRIP MINE

	Size Group Nos.				
	1	2	3	4	5
Price classification.....	F	F	F	F	F
Rail shipment.....	335	335	335	305	305
R. R. locomotive fuel.....	320	320	305	295	295
Truck shipment.....	360	335	335	325	315

TRI-STATE MINES, INC., 526 SOUTH ST., CLARION, PA.,  
TRI-STATE #1 MINE, B SEAM, MINE INDEX NO. 5139,  
CLARION COUNTY, PA., SUBDISTRICT 1, RAIL SHIPPING  
POINT: HOLDEN, PA., STRIP MINE

	F	F	F	F	F
Price classification.....	335	335	335	305	305
Rail shipment.....	320	320	305	295	295
R. R. locomotive fuel.....	360	335	335	325	315
Truck shipment.....					

WEIGLE BROS., SHANESVILLE, PA., WEIGLE #2 MINE,  
C SEAM, MINE INDEX NO. 5150, SOMERSET COUNTY,  
PA., SUBDISTRICT 37, RAIL SHIPPING POINT: FRIEDENS,  
PA., DEEP MINE

	E	E	E	E	E
Price classification.....	355	335	335	315	315
Rail shipment.....	320	320	305	295	295
R. R. locomotive fuel.....	365	340	340	330	320
Truck shipment.....					

This order shall become effective  
August 8, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law  
383, 78th Cong.; E.O. 9250, 7 F.R. 7871;  
E.O. 9328, 8 F.R. 4681)

Issued this 7th day of August 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-11832; Filed, August 7, 1944;  
4:41 p. m.]

[MPR 188, Order 4 Under Order 1052]

SHOWERS BROTHERS CO., INC.

#### ADJUSTMENT OF MAXIMUM PRICES

Order No. 4 under Order No. 1052  
under § 1499.159b of Maximum Price  
Regulation No. 188. Manufacturers'  
maximum prices for specified building  
materials and consumers' goods other  
than apparel. Adjustment of maximum  
prices for sales of wood household furni-  
ture manufactured by Showers Brothers  
Company, Inc.

For the reasons set forth in an opinion  
issued simultaneously herewith and filed  
with the Division of the Federal Regis-  
ter, and pursuant to the authority vested  
in the Price Administrator by the Emer-  
gency Price Control Act of 1942, as  
amended, the Stabilization Act of 1942,  
as amended, and Executive Orders Nos.  
9250 and 9328, It is ordered:

(a) This order permits the manufac-  
turer, Showers Brothers Company, Inc.,  
of 601 North Morton Street, Bloomington,  
Indiana, to adjust its maximum  
prices for sales of wood household furni-  
ture (as defined in Order No. 1052), es-  
tablished by Maximum Price Regulation  
No. 188 by the amount specified below.  
This order also authorizes purchasers  
for resale of these articles of wood house-  
hold furniture to adjust their maximum  
prices by adding the dollar-and-cents  
amount of the adjustment granted the

manufacturer by this order and for  
which they have become obligated.

(1) *Manufacturer's maximum prices.*  
Showers Brothers Company, Inc., may  
adjust its maximum prices for sales and  
deliveries of wood household furniture  
(as defined in Order No. 1052) of its  
manufacture by an amount not to ex-  
ceed 3% of its maximum prices for such  
sales established in Order 1052. The  
permitted adjustment of 3% may be  
made only if separately stated.

(2) *Maximum prices of purchasers for  
resale.* Any purchaser for resale of an  
article of wood household furniture for  
which the manufacturer's maximum  
price has been thus adjusted may add  
to his properly established maximum  
price, in effect immediately prior to the  
effective date of this order, the dollar-  
and-cents amount of the adjusted charge  
allowed by this order for which he has  
become obligated, provided the amount  
of such adjustment is separately stated  
on sales to persons other than ultimate  
consumers.

(b) At the time of or prior to the first  
invoice to each purchaser (other than  
an ultimate consumer) of an article  
covered by this order, the seller must fur-  
nish such purchaser with a written notice  
stating the number of this order and  
fully explaining its terms and condi-  
tions. This notice may be given in any  
convenient form.

(c) This order may be revoked or  
amended by the Price Administrator at  
any time.

This order shall become effective on  
the 8th day of August 1944.

Issued this 7th day of August 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-11828; Filed, August 7, 1944;  
4:39 p. m.]

[MPR 188, Rev. Order 1545]

MARTIN LEATHERMAN MFG. CO.

#### APPROVAL OF MAXIMUM PRICES

Revised Order No. 1545 under § 1499.-  
158 of Maximum Price Regulation No.  
188. Manufacturers' maximum prices  
for specified building materials and con-  
sumers' goods other than apparel. Ap-  
proval of maximum prices for sales of  
canvas folding chairs manufactured by  
Martin Leatherman Manufacturing  
Company.

For the reasons set forth in an opinion  
issued simultaneously herewith and filed  
with the Division of the Federal Register  
and pursuant to the authority vested in  
the Price Administrator by the Emer-  
gency Price Control Act of 1942, as  
amended, the Stabilization Act of 1942,  
as amended, and Executive Orders Nos.  
9250 and 9328, is revised and amended  
to read as follows:

(a) This revised order establishes max-  
imum prices for sales and deliveries of  
two models of canvas folding chairs  
manufactured by Martin Leatherman  
Manufacturing Company, Little Rock,  
Arkansas.

(1) (a) For all sales and deliveries by  
the manufacturer to retailers, and to per-

sons other than retailers who resell the article the maximum prices are those set forth below:

Article	Model No.	Maximum price to wholesalers who carry stock	Maximum price to wholesalers who sell from manufacturer's stock	Maximum price to retailers
Folding canvas chair.....	1	Per doz. \$15.48	Per doz. \$16.42	Per doz. \$19.32
Folding canvas chair.....	2	13.08	13.87	16.32

These maximum prices are net, f. o. b. factory.

(b) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (a) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (a) For all sales and deliveries to retailers by persons other than the manufacturer, the maximum prices set forth below, f. o. b. factory;

Article	Model No.	Maximum price to retailers
Folding canvas chair.....	1	Per doz. \$19.32
Folding canvas chair.....	2	16.32

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, or from his own stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by this order for such resales. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 8th day of August 1944.

Issued this 7th day of August 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-11830; Filed, August 7, 1944;  
4:40 p. m.]

[MPR 188, Order 2052]

WILLIAM B. COGGIN, INC.

#### APPROVAL OF MAXIMUM PRICES

Order No. 2052 under § 1499.158 of Maximum Price Regulation No. 188.

Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of two items of juvenile table and chair sets manufactured by William B. Coggin, Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, It is ordered:

(a) This order establishes maximum prices for sales and deliveries, of two items of juvenile table and chair sets manufactured by William B. Coggin, Inc., 224 South Michigan Avenue, Chicago, Illinois.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile table and chair set.....	8	Each \$4.45	Each \$5.23
Juvenile table and chair set.....	1031	5.25	6.18

These prices are f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Juvenile table and chair set.....	8	Each \$5.23
Juvenile table and chair set.....	1031	6.18

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of August 1944.

Issued this 7th day of August 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-11831; Filed, August 7, 1944;  
4:41 p. m.]

[MPR 188, Order 2053]

RADOLITE MFG. CO.

#### APPROVAL OF MAXIMUM PRICES

Order No. 2053 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of wooden clothes dryer and a laundry bench manufactured by the Radolite Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, It is ordered:

(a) This order establishes maximum prices for sales and deliveries, of wooden clothes dryers and a laundry bench manufactured by the Radolite Manufacturing Company, 810 South Gallatin Street, Jackson, Mississippi.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Clothes Dryer.....	Feet 30	Each \$0.66 2/3	Each \$0.75
Clothes Dryer.....	40	.90	1.05
Laundry Bench.....		.87	1.02

These prices are f. o. b. factory and are subject to a cash discount of 2% on payment within 10 days, net 30 days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory.

Article	Model No.	Maximum price to retailers
	Feet	Each
Clothes Dryer.....	30	\$0.75
Clothes Dryer.....	40	1.06
Laundry Bench.....		1.02

These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of August 1944.

Issued this 7th day of August 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-11829; Filed, August 7, 1944; 4:40 p. m.]

#### Regional and District Office Orders.

[Region I Rev. Supp. Order 2 Under RMPR 122, Amdt. 2]

#### PENNSYLVANIA ANTHRACITE IN BOSTON REGION

Amendment No. 2 to Revised Supplementary Order No. 2 under Revised Max-

imum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Named Pennsylvania anthracites.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Revised Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. Paragraph (a) is amended to read as follows:

(a) In every instance where one of the following sizes of a named Pennsylvania anthracite coal is not specifically priced in the Region I Orders under Revised Maximum Price Regulation No. 122 which are designated in paragraph (c) hereof, the specific maximum prices in said orders for Pennsylvania anthracite may be increased by the following amounts when the following sizes of named Pennsylvania anthracite coals are sold in conformance with the conditions hereinafter set forth:

Kind and size	Amount of addition—			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Jeddo Highland:				
Broken, egg, stove, chestnut, pea and buckwheat.....	\$0.25	\$0.15	\$0.05	None
Rice.....	.15	.10	None	None
Franklin:				
Broken.....	.75	.40	.20	\$0.05
Egg.....	1.00	.50	.25	.05
Stove.....	1.25	.65	.30	.05
Chestnut.....	.30	.15	.05	None
Rice.....	.10	.05	None	None
Greenwood:				
Egg, stove, chestnut and pea.....	.25	.15	.05	None
Salem Hill:				
Egg and stove.....	.85	.45	.20	.03
Chestnut.....	.45	.25	.10	None
Brooder nut.....	.70	.35	.20	.05
Pea.....	.40	.20	.10	None
Rice.....	.20	.10	.05	None
Silver Brook:				
Broken, egg, stove, chestnut, pea and buckwheat.....	.45	.25	.10	None
Rice.....	.35	.20	.10	None
Legitts Creek or Black Stork:				
Broken, egg, stove, chestnut and pea.....	.65	.35	.15	None
Buckwheat.....	.50	.25	.15	None
Rice.....	.10	.05	None	None
Repplier:				
Broken, egg, stove, chestnut and pea.....	.50	.25	.15	None
Buckwheat, rice and barley.....	.40	.20	.10	None
East Bear Ridge:				
Broken, egg, stove, chestnut, pea, buckwheat and rice.....	.25	.15	.05	None
Barley.....	.15	.10	None	None
Dial Rock:				
Broken, egg, stove, chestnut, pea, buckwheat and rice.....	.25	.15	.05	None
Steele or Alden:				
Broken, egg, stove, chestnut, pea and buckwheat.....	.25	.15	.05	None
Rice.....	.10	.05	None	None
Raven Run, Orange Disc or Delano:				
Broken, egg, stove, chestnut, pea, buckwheat and rice.....	.10	.05	None	None

2. Subparagraphs (17), (18) and (19) are added to paragraph (e), to read as follows:

(17) "Repplier" means that Pennsylvania Anthracite which is produced and prepared by Repplier Coal Company at its New Castle Colliery and which meets the quality and preparation standards established by Order No. 15 under Maximum Price Regulation No. 112.

(18) "Steele" means that Pennsylvania Anthracite which is produced and prepared by T. F. Steele Coal Company, Junedale, Pennsylvania, and which meets the quality and preparation standards established by Order No. 16 under Maximum Price Regulation No. 112.

(19) "Alden" means that Pennsylvania Anthracite which is produced and prepared by Alden Coal Company, Wilkes-Barre, Pennsylvania, and which meets the quality and preparation standards established by Order No. 17 under Maximum Price Regulation No. 112.

3. Subparagraph (12) of paragraph (e) is revoked.

4. In subparagraph (10) of paragraph (e), the words "Revised Order No. 5 under Maximum Price Regulation No. 112" are deleted and the words "Order No. 18 under Maximum Price Regulation No. 112" are inserted in place thereof.

This Amendment No. 2 shall become effective August 7, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

ELDON C. SHOUP,  
Regional Administrator.

[F. R. Doc. 44-11705; Filed, August 4, 1944; 4:40 p. m.]

[Wilmington Order 1 Under Restaurant MPR 2]

#### POSTING REQUIREMENTS IN WILMINGTON, DEL., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Wilmington District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, meals and beverages, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in the table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other food items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that the items can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

**SEC. 2. Filing of lists of posted prices.** When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

**SEC. 3. Replacement of posters.** If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

**SEC. 4. Geographical applicability.** The provisions of this order extend to all eating and drinking establishments located within the Wilmington District of the Office of Price Administration.

**SEC. 5. Exemptions.** All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

**NOTE:** The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383; 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 1st day of August 1944.

CHARLES W. HARDESTY,  
District Director.

#### APPENDIX A—FOOD ITEMS AND MEALS COVERED BY POSTING ORDER

**Appetizer.** Tomato or Fruit Juice.  
**Soup.** Chicken Soup, Vegetable Soup.  
**Egg Dishes.** Bacon or Ham and Eggs; Two Eggs, any style.  
**Fish Entrees.** Filet of Sole and 2 Vegetables, Fish Cakes, Fried Fish, Oyster Stew.  
**Miscellaneous.** Hot Cakes and Syrup, Baked Spaghetti or Macaroni, Pork and Beans, Vegetable Plate, Cereals—Hot or Cold.  
**Meat Entrees.** Liver and Bacon; Pork Chop and 2 Vegetables; Hamburger Steak and 2 Vegetables; Roast Beef and 2 Vegetables; Roast Loin of Pork and 2 Vegetables; Corned Beef Hash with Poached Egg; Lamb or Beef Stew; Chicken, fried; Lamb Chops (2).  
**Meals.** Club Breakfast: Fruit or Cereal, 2 Eggs with Ham or Bacon, Toast and Coffee. Vegetable Luncheon: (Soup or Appetizer, Vegetable Plate, Dessert and Coffee.)  
**Chicken Dinner:** Soup or Appetizer, Entree with Vegetables or Salad, Dessert and Coffee.  
**Sandwiches.** Ham, Ham and Egg (or Bacon and Egg), Cream Cheese and Jelly, Lettuce and Tomato, Hamburger, Ham and Cheese, Hot Beef Sandwich, Frankfurter.  
**Desserts.** Apple Pie, Ice Cream, Rice Pudding.  
**Beverages.** Coffee (cup or pot), Tea (cup or pot), Milk (half pint).

[F. R. Doc. 44-11710; Filed, August 4, 1944; 4:38 p. m.]

[Philadelphia Order 1 Under Restaurant MPR 2]

#### POSTING REQUIREMENTS IN PHILADELPHIA, PA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Philadelphia District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

**SECTION 1. Posting requirements.** If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal; for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

**SEC. 2. Filing of lists of posted prices.** When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

**SEC. 3. Replacement of posters.** If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

**SEC. 4. Geographical applicability.** The provisions of this order extend to all eating and drinking establishments located within the Philadelphia District of the Office of Price Administration.

**SEC. 5. Exemptions.** All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

**NOTE:** The reporting and record-keeping provisions of Restaurant Maximum Price Regulation No. 2 and this Order No. 1 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

FRANK J. LOFTUS,  
District Director.

#### APPENDIX A—LIST OF 40 BASIC MEALS OR FOOD ITEMS REQUIRED TO BE POSTED

1. Tomato juice.
2. Fruit cocktail.
3. Cold cereals with milk.
4. Hot cakes and syrup.

5. Bacon and eggs.
6. Two eggs (boiled, fried or scrambled).
7. Club breakfast (fruit, toast and coffee).
8. Coffee (cup).
9. Milk (half-pint).
10. Vegetable soup.
11. Beef liver and bacon.
12. Hamburger steak.
13. Pork chops (2).
14. Pot roast of beef.
15. Beef stew.
16. Sirloin steak.
17. Breaded veal cutlet.
18. Roast leg of lamb.
19. Chicken a la King.
20. Baked ham luncheon (2 vegetables, dessert and coffee).
21. Vegetable luncheon (dessert and coffee).
22. Roast chicken dinner (full-course).
23. Roast leg of lamb dinner (full-course).
24. Haddock.
25. Deviled crab.
26. Cold-Cut platter.
27. Hot vegetable platter.
28. Combination salad.
29. Fruit salad.
30. Spaghetti and meatballs.
31. Chow Mein.
32. Hot roast beef sandwich.
33. Frankfurter sandwich.
34. Boiled ham sandwich.
35. Lettuce and tomato sandwich.
36. Hamburger sandwich.
37. Apple pie.
38. Ice cream (plate).
39. Ice cream soda.
40. Rice pudding.

[F. R. Doc. 44-11711; Filed, August 4, 1944; 4:38 p. m.]

[Syracuse Order 1 Under Restaurant MPR 2]  
**POSTING REQUIREMENTS IN SYRACUSE, N. Y.  
 DISTRICT**

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Syracuse District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

**SECTION 1. Posting requirements.** If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, meals and beverages as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in the table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other food items which you usually offer to bring the total number to 40, with your ceiling prices for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the

poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

**SEC. 2. Filing of lists of posted prices.** When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

**SEC. 3. Replacement of posters.** If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

**SEC. 4. Geographical applicability.** The provisions of this order extend to all eating and drinking establishments located within the Syracuse District of the Office of Price Administration.

**SEC. 5. Exemptions.** All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 1st day of August 1944.

STEPHEN P. TOADVINE,  
 District Director.

**APPENDIX A**

1. Tomato juice.
2. Fruit cocktail.
3. Vegetable soup.
4. Ham and eggs.
5. Two eggs, any style.
6. Fried haddock.
7. Spaghetti and meat balls.
8. Baked beans.
9. Vegetable plate.
10. Cereals—hot or cold.
11. Frankfurt and roll.
12. Corned beef hash.
13. Cold cuts and salad.

14. Ham sandwich.
15. Ham and egg sandwich.
16. American cheese sandwich.
17. Lettuce and tomato sandwich.
18. Hamburger sandwich.
19. Ham and cheese sandwich.
20. Fish salad sandwich.
21. Hot beef sandwich.
22. Potato salad.
23. Apple pie.
24. Ice cream.
25. Coffee.
26. Milk.
27. Club breakfast—fruit juice, toast and coffee.
28. Chicken pie luncheon—3 courses.
29. Beef stew luncheon—3 courses.
30. Pork chop luncheon—3 courses.
31. Hamburger steak luncheon—3 courses.
32. Calves liver and bacon dinner—5 courses.
33. Roast beef dinner—5 courses.
34. Roast pork dinner—5 courses.
35. Roast chicken dinner—5 courses.
36. Sirloin steak dinner—5 courses.
37. Swiss steak dinner—5 courses.
38. Veal cutlet dinner—5 courses.
39. Roast lamb dinner—5 courses.
40. Roast turkey dinner—5 courses.

[F. R. Doc. 44-11709; Filed, August 4, 1944; 4:39 p. m.]

[Trenton Order 1 Under Restaurant MPR 2]  
**POSTING REQUIREMENTS IN TRENTON, N. J.,  
 DISTRICT**

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Trenton District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

**SECTION 1. Posting requirements.** If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other food items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

**SEC. 2. Filing of lists of posted prices.** When you have made up the list of food

items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

**SEC. 3. Replacement of posters.** If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

**SEC. 4. Geographical applicability.** The provisions of this order extend to all eating and drinking establishments located within the Counties of Mercer, Hunterdon, Ocean, Middlesex, Monmouth, Warren and Somerset in the State of New Jersey, which counties comprise the Trenton District of the Office of Price Administration.

**SEC. 5. Exemptions.** All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

**NOTE:** The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

RALPH W. HACKETT,  
District Director.

#### APPENDIX A

The following are the 40 items referred to in section 1:

1. Tomato or fruit juice.
2. Fruit cocktail.
3. Soup du jour (soup of the day).
4. Bacon or ham and eggs.
5. Plain omelette.
6. Fillet of sole.
7. Broiled mackerel.
8. Fish cakes.
9. Hot cakes and syrup.
10. Baked spaghetti or macaroni.
11. Vegetable plate.
12. Cereal—hot with milk.
13. Cereal—cold with milk.
14. Frankfurter.
15. Liver and bacon.
16. Pork chop.

17. Hamburger steak.
18. Roast beef (prime ribs).
19. Roast beef (sirloin).
20. Roast pork or ham.
21. Corned beef hash or any meat hash.
22. Lamb stew or any meat stew.
23. Ham sandwich.
24. Ham and egg or (bacon and egg) sandwich.
25. American cheese sandwich.
26. Cream cheese and jelly sandwich.
27. Lettuce and tomato sandwich.
28. Hamburger sandwich.
29. Ham and cheese sandwich.
30. Fish salad sandwich.
31. Frankfurter and roll sandwich.
32. Hot meat sandwich.
33. Fruit salad.
34. Chicken salad.
35. Apple pie.
36. Ice cream.
37. Coffee.
38. Tea.
39. Milk.
40. Club breakfast—fruit, toast and coffee.

[F. R. Doc. 44-11708; Filed, August 4, 1944;  
4:39 p. m.]

#### [Maryland Order 1 Under Restaurant MPR 2]

#### POSTING REQUIREMENTS IN MARYLAND DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Maryland District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

**SECTION 1. Posting Requirements.** If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, meals and beverages, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other food items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, fillet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

**SEC. 2. Filing of lists of posted prices.** When you have made up the list of food items and meals to be posted and your

lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

**SEC. 3. Replacement of posters.** If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

**SEC. 4. Geographical applicability.** The provisions of this order extend to all eating and drinking establishments located within the State of Maryland.

**SEC. 5. Exemptions.** All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

**NOTE:** The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

LEO H. MCCORMICK,  
District Director.

#### APPENDIX A

1. Tomato juice.
2. Fruit cocktail.
3. Vegetable soup.
4. Bacon and eggs.
5. Two eggs, fried.
6. Fillet of sole.
7. Fish cakes.
8. Liver and bacon.
9. Pork chop.
10. Hamburger steak.
11. Roast beef.
12. Roast pork.
13. Corned beef hash.
14. Beef stew.
15. Chicken, fried.
16. Veal cutlet.
17. Ham sandwich.
18. Bacon and egg sandwich.
19. American cheese sandwich.
20. Lettuce and tomato sandwich.
21. Hamburger sandwich.
22. Ham and cheese sandwich.
23. Tuna fish salad sandwich.
24. Hot roast beef sandwich.
25. Hot cakes and syrup.

26. Pork and beans.
27. Vegetable plate.
28. Cereals-cold.
29. Chicken croquettes.
30. Lettuce and tomato salad.
31. Fruit salad.
32. Chicken salad.
33. Tuna fish salad.
34. Apple pie.
35. Ice cream.
36. Layer cake.
37. Coffee, hot, cup.
38. Tea, hot, cup.
39. Milk.
40. Ice cream soda.

[F. R. Doc. 44-11707; Filed August 4, 1944;  
4:40 p. m.]

[Newark Order 1 Under Restaurant MPR 2]  
POSTING REQUIREMENTS IN NEWARK, N. J.,  
DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Newark District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must on or before August 16, 1944 show on a poster to be supplied by the Office of Price Administration your lawful ceiling prices for 40 food items, meals and beverages as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order as you offer for sale, and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in the table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other food items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer, and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree, and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list and send or deliver it to your Local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

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The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled, or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Counties of Bergen, Essex, Hudson, Morris, Passaic, Sussex and Union, New Jersey, which Counties comprise the Newark District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

RICHARD J. TARRANT,  
District Director.

APPENDIX A

1. Tomato or fruit juice.
2. Fruit cocktail.
3. Soup.
4. Ham and eggs.
5. Two eggs (any style).
6. Fillet of sole (fried).
7. Broiled mackerel.
8. Fish cakes.
9. Wheat cakes and syrup.
10. Spaghetti and meat balls.
11. Baked beans.
12. Vegetable plate (hot).
13. Cereals (hot or cold).
14. Veal cutlet.
15. Pork chops.
16. Hamburger steak.
17. Roast prime ribs of beef.
18. Roast fresh ham.
19. Corned beef hash.
20. Lamb stew.
21. Ham sandwich.
22. Ham and egg or bacon and egg sandwich.
23. American cheese sandwich.
24. Cream cheese and jelly sandwich.
25. Lettuce and tomato sandwich.
26. Hamburger sandwich.
27. Ham and cheese sandwich.
28. Tuna fish salad sandwich.
29. Western egg sandwich.
30. Chicken sandwich.
31. Combination salad.

32. Chicken salad.
33. Apple pie.
34. Ice cream.
35. Coffee (cup).
36. Tea (cup).
37. Milk (half pint).
38. Club breakfast, fruit, toast and coffee.
39. Omelet luncheon (specify number of courses).
40. Roast chicken dinner (specify number of courses).

[F. R. Doc. 44-11706; Filed, August 4, 1944;  
4:40 p. m.]

[Montgomery Order G-1 Under Gen.  
Order 50]

MALT AND CEREAL BEVERAGES IN DESIGNATED COUNTIES IN ALABAMA

Order No. G-1 under General Order No. 50. Maximum prices for malt and cereal beverages in the counties of Baldwin, Barbour, Bullock, Covington, Dallas, Escambia, Greene, Henry, Houston, Lee, Lowndes, Mobile, Montgomery, Perry, Pike, and Russell, in the State of Alabama.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Montgomery District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, it is hereby ordered:

SECTION 1. *Purpose of order.* It is the purpose of this order to establish specific maximum prices for malt and cereal beverages including those commonly known as ale, beer and near-beer in containers by any eating, or drinking establishment, either for consumption on the premises or when carried away.

SEC. 2. *Geographical applicability.* The provisions of this order extend to all eating and drinking places or establishments located within the limits of the following named counties of the State of Alabama: Baldwin, Barbour, Bullock, Covington, Dallas, Escambia, Greene, Henry, Houston, Lee, Lowndes, Mobile, Montgomery, Perry, Pike and Russell.

SEC. 3. *Ceiling prices.* (a) On and after July 29, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in Appendix A hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed in Appendix A hereof, and if you believe that the maximum price specified under the applicable heading "All other brands not listed above" is not appropriate to such beverage, you may make application to the Montgomery District Office of the Office of Price Administration requesting that such beverage be specifically included in Appendix A hereof. With or without such application the Montgomery District Office of the Office of Price Administration may, at any time and from time to time, add new or unlisted beverages, brands, types or sizes, together with maximum prices for same to the lists set forth in Appendix A hereof.

Sec. 4. *How to figure your ceiling prices.* (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4-10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April 4-10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. You must figure the group to which you belong as follows:

(1) *Group 1 B.* Your establishment belongs to Group 1 B if, during the base period of April 4-10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than the prices listed in Appendix A hereof for Group 1 B establishments.

(2) *Group 2 B.* Your establishment belongs to Group 2 B if, during the base period of April 4-10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than the prices listed in Appendix A hereof for Group 2 B establishments, but were less than those provided in Appendix A for Group 1 B establishments.

(3) *Group 3 B.* Your establishment belongs to Group 3 B if, during the base period of April 4-10, 1943, your legally established ceiling prices for beverages subject to this order were less than the prices listed in Appendix A hereof for Group 2 B establishments. All establishments not in operation during the base period of April 4-10, 1943 also belong to Group 3 B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4-10, 1943, and, if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1 B or Group 2 B, you may file an application with the Montgomery District Office of the Office of Price Administration requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon and your establishment is reclassified, it must retain the classification of a Group 3 B seller, and must observe the ceiling prices as provided for that group in Appendix A hereof. All such applications for reclassification must contain the following information:

1. Name and address of the establishment and of its owner or owners.

2. A description of the establishment showing its type (such as night club,

hotel, restaurant, tavern) and the date it began operating.

3. The selling prices by brand name of all beverages sold since the beginning of its operation.

4. The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this order.

5. Any other information pertinent to such application, or which may be requested by the Office of Price Administration.

Sec. 5. *Filing with War Price and Rationing Board.* When you have figured your proper group under section 4 above, you must, on or before August 10, 1944, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number.

Sec. 6. *Modification of prices.* After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the district in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4-10, 1943 legal ceiling prices, this order, properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4-10, 1943, were excessive in relation to the legal ceiling prices of other comparable establishments in the district.

Sec. 7. *Exempt sales.* The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the armed forces (as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the armed forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales shall be governed by Restaurant Maximum Price Regulation 2 on and after July 31, 1944).

(e) Sales by the War Department or the Department of Navy of the United States through such departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

Sec. 8. *Evasion.* If you are an operator of an eating or drinking establishment you must not evade the ceiling prices established by this order by any type of scheme or device; among other things (this is not an attempt to list evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4, 1943 to April 10, 1943, or

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4 to April 10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals.

Sec. 9. *Records and menus.* If you are an operator of an eating or drinking establishment subject to this order you must observe the requirements of General Order 50 as well as the provisions of Restaurant Maximum Price Regulation No. 2 (which shall become effective July 31, 1944) or as these may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary food records. Among other provisions of General Order No. 50, are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate

of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

**Sec. 10. Posting of Prices.** If you are an operator of an eating and drinking establishment you must post and keep posted, the ceiling prices of the beverages subject to this order sold by your establishment, either by:

(a) Supplying the customers menus or bills of fare showing the beverages subject to this order which are sold by the establishment; and showing the brand name, quantity and ceiling price of each kind and type of bottled beverage, sold.

(b) Posting a sign giving the same information as required on menus or bills of fare by subparagraph (a) above. Such a sign must be posted in the establishment at a place where it can easily be read by the customers. If you prefer you may use a similar sign furnished by the Office of Price Administration.

**Sec. 11. Posting of group number.** If you operate an eating or drinking establishment selling at retail beverages subject to this order you must post, and keep posted, in the premises a card clearly visible to purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1B," "OPA 2B," or "OPA 3B," whichever is applicable. You may use the card furnished you for this purpose by the War Price and Rationing Board.

**Sec. 12. Receipts and sales slips.** Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same.

If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

**Sec. 13. Operation of several places.** If you own or operate more than one place selling beverages subject to this order you must do everything required by this regulation for each place separately.

**Sec. 14. Enforcement.** If you violate any provision of this regulation you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspensions of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

**Sec. 15. Licensing.** The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order your license may be suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

**Sec. 16. Relation to other Maximum Price Regulations.** This order supersedes the provisions of Maximum Price Regulation No. 259 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of

beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the meal shall be governed by the provisions of Restaurant Maximum Price Regulation No. 2 on and after July 31, 1944.

**Sec. 17. Definitions.** (a) "Malt beverage" is any malt beverage produced either within or without the Continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the Continental United States and commonly known as "near-beer."

(c) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(d) "Sales at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(e) "Eating or drinking establishment" shall include any place, establishment or location, whether temporary or permanent, in which any prepared food item or meal, or any beverage is sold for immediate consumption on the premises or to be carried away without substantial change in form or substance. However, grocery and other stores that do not sell food items or meals, or beverages for immediate consumption on the premises are specifically excluded from this definition.

(f) "Other definitions." Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

**Sec. 18. Petitions for amendment.** Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance of the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Montgomery District Office.

**Sec. 19. Revocation and amendment.** This order may be revoked, amended, or corrected at any time.

**Sec. 20. Effective date.** This order shall become effective July 29, 1944.

**NOTE:** The reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; G. O. 50, 8 F.R. 4808)

Issued at Montgomery, Alabama, this 21st day of July 1944.

A. H. COLLINS,  
District Director.

## APPENDIX A

## GROUP 1 B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	Cents
Barbarossa.....	25	45
Budweiser.....	25	45
Burger-Brau.....	25	45
Carling's Red Cap Ale.....	25	45
Down's Aft & Aft.....	25	45
Pabst.....	25	45
Red Top Ale.....	25	45
Schlitz.....	25	45
Spearman's English Ale.....	25	45
<i>Imported Beer</i>		
Carta Blanca.....	32	40
Corona.....	32	40
Monterey.....	32	40
All other brands not listed above.....	20	40

Those sellers who have qualified with the proper state authorities to operate as cabarets and who are required to pay a Federal Excise Tax as cabarets may add same to above prices if such tax is separately stated and collected.

No other tax applicable to the area covered by this order may be added to the above prices.

## GROUP 2 B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	Cents
Barbarossa.....	20	40
Budweiser.....	20	40
Burger-Brau.....	20	40
Carling's Red Cap Ale.....	20	40
Down's Aft & Aft.....	20	40
Pabst.....	20	40
Red Top Ale.....	20	40
Schlitz.....	20	40
Spearman's English Ale.....	20	40
<i>IMPORTED BEER</i>		
Carta Blanca.....	30	40
Corona.....	30	40
Monterey.....	30	40
All Other Brands Not Listed Above.....	15	35

Those sellers who have qualified with the proper state authorities to operate as cabarets and who are required to pay a Federal Excise Tax as cabarets may add same to above prices if such tax is separately stated and collected.

No other tax applicable to the area covered by this order may be added to the above prices.

## GROUP 3 B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	Cents
Barbarossa.....	17	35
Budweiser.....	17	35
Burger-Brau.....	17	35
Carling's Red Cap Ale.....	17	35
Down's Aft & Aft.....	17	35
Pabst.....	17	35
Red Top Ale.....	17	35
Schlitz.....	17	35
Spearman's English Ale.....	17	35
<i>IMPORTED BEER</i>		
Carta Blanca.....	28	35
Corona.....	28	35
Monterey.....	28	35
All Other Brands Not Listed Above.....	12	30

Those sellers who have qualified with the proper state authorities to operate as cabarets and who are required to pay a Federal Excise Tax as cabarets may add same to above prices if such tax is separately stated and collected.

No other tax applicable to the area covered by this order may be added to the above prices.

[F. R. Doc. 44-11704; Filed, August 4, 1944; 4:41 p. m.]

[Richmond Order 1 Under Gen. Order 50]

#### MALT AND CEREAL BEVERAGES IN VIRGINIA

Order Number 1 under General Order Number 50. Maximum prices for malt and cereal beverages in certain areas.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Richmond District Office of Region IV of the Office of Price Administration by General Order Number 50 issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order Number 17, issued May 5, 1944, it is hereby ordered:

**SECTION 1. Purpose of order.** It is the purpose of this order to establish specific maximum prices for malt and cereal beverages including those commonly known as ale, beer and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating or drinking establishment, either for consumption on the premises or when carried away.

**SEC. 2. Geographical applicability.** The provisions of this order extend to all eating and drinking places or establishments located within the following portion of Virginia:

The counties of: Accomack, Albemarle, Amelia, Brunswick, Buckingham, Caroline, Charles City, Chesterfield, Culpeper, Cumberland, Dinwiddie, Elizabeth City, Essex, Fluvanna, Gloucester, Goochland, Greene, Greensville, Hanover, Henrico, Isle of Wight, James City, King George, King and Queen, King William, Lancaster, Louisa, Lunenburg, Madison, Mathews, Mecklenburg, Middlesex, Nansemond, New Kent, Norfolk, Northampton, Northumberland, Nottoway, Orange, Powhatan, Prince Edward, Prince George, Princess Anne, Richmond, Southampton, Spotsylvania, Stafford, Surry, Sussex, Warwick, Westmoreland, and York.

All towns and municipalities in the said counties, and the cities or towns of: Charlottesville, Fredericksburg, Hampton, Hopewell, Newport News, Norfolk, Petersburg, Phoebus, Portsmouth, Richmond, South Norfolk, Suffolk, Williamsburg, and Yorktown.

**SEC. 3. Ceiling prices.** (a) On and after July 10, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in Appendix A hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed in Appendix A hereof, and if you believe

that the maximum price specified under the caption: "All other brands" or "All brands in all other container sizes" is not appropriate to such beverages, you may make application to the Richmond District Office of the Office of Price Administration requesting that such beverage be specifically included in Appendix A hereof. With or without such application the Richmond District Office of the Office of Price Administration may at any time and from time to time add new or unlisted beverages, brands, types or sizes, together with maximum prices for same to the lists set forth in Appendix A hereof.

**SEC. 4. How to figure your ceiling prices.** (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4-10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period. (b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April 4-10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. You must figure the group to which you belong as follows:

(1) **Group 1-B.** Your establishment belongs to Group 1-B, if during the base period of April 4-10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than the prices listed in Appendix A hereof for Group 1-B establishments.

(2) **Group 2-B.** Your establishment belongs to Group 2-B if during the base period of April 4-10, 1943, your legally established ceiling prices for beverages subject to this order were the same as or more than the prices listed in Appendix A hereof for Group 2-B establishments, but were less than those provided in Appendix A for Group 1-B establishments.

(3) **Group 3-B.** Your establishment belongs to Group 3-B if during the base period of April 4-10, 1943, your legally established ceiling prices for beverages subject to this order were less than the prices listed in Appendix A hereof for Group 2-B establishments. All establishments not in operation during the base period of April 4-10, 1943, also belong to Group 3-B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4-10, 1943, and if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1-B or Group 2-B, you may file an application with the Richmond District Office of the Office of Price Administration requesting that

your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon and your establishment is reclassified, it must retain the classification of a Group 3-B seller, and must observe the ceiling prices as provided for that group in Appendix A hereof. All such applications for reclassification must contain the following information:

1. Name and address of the establishment and of its owner or owners.

2. A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.

3. The selling prices by brand name of all beverages sold since the beginning of its operation.

4. The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this Order.

5. Any other information pertinent to such application, or which may be requested by the Office of Price Administration.

**SEC. 5. Filing with War Price and Rationing Board.** When you have figured your proper group under section 4 above, you must on or before July 6, 1944, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number.

**SEC. 6. Modification of prices.** After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the District in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4-10, 1943, legal ceiling prices, this order, properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4-10, 1943, were excessive in relation to the legal ceiling prices of other comparable establishments in the District.

**SEC. 7. Exempt sales.** The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces

(as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation 4-1).

(e) Sales by the War Department or the Department of Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchange, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club. No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

Sec. 8. *Evasion.* If you are an operator of an eating or drinking establishment you must not evade the ceiling prices established by this order by any type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4, 1943, to April 10, 1943, or

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4 to April 10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals.

Sec. 9. *Records and menus.* If you are an operator of an eating or drinking

establishment subject to this order you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation 4-1, either as revised and amended or as may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order 50 are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

Sec. 10. *Posting of prices.* If you are an operator of an eating and drinking establishment you must post and keep posted, the ceiling prices of the beverages subject to this order sold by your establishment, either by:

(a) Supplying the customers menus or bills of fare showing the beverages subject to this order which are sold by the establishment; and showing the brand name, quantity and ceiling price of each kind and type of bottled beverage, and the quantity and ceiling price of all beverages sold on draught.

(b) Posting a sign giving the same information as required on menus or bills of fare by subparagraph (a) above. Such a sign must be posted in the establishment at a place where it can easily be read by the customers. If you prefer you may use a similar sign furnished by the Office of Price Administration.

Sec. 11. *Posting of group number.* If you operate an eating or drinking establishment selling at retail beverages subject to this order you must post, and keep posted, in the premises a card clearly visible to purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1-B", "OPA 2-B", or "OPA 3-B", whichever is applicable. You may use the card furnished you for this purpose by the War Price and Rationing Board.

Sec. 12. *Receipts and sales slips.* Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same. If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

Sec. 13. *Operation of several places.* If you own or operate more than one place selling beverages subject to this

order, you must do everything required by this regulation for each place separately.

Sec. 14. *Enforcement.* If you violate any provision of this regulation, you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspensions of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

Sec. 15. *Licensing.* The provisions of Licensing Order Number 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order, your license may be suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

Sec. 16. *Relation to other maximum price regulations.* This order supersedes the provisions of Maximum Price Regulation Number 259 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the meal remain subject to the provisions of Restaurant Maximum Price Regulation 4-1.

Sec. 17. *Definitions.* (a) "Malt beverage" is any malt beverage produced either within or without the Continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the Continental United States and commonly known as "near-beer."

(c) "On draught" means dispensed by a seller at retail from any container of one-eighth ( $\frac{1}{8}$ ) barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(e) "Sales at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(f) "Eating or drinking establishment" shall include any place, establishment or location, whether temporary or permanent, in which any prepared food item or meal, or any beverage is sold for immediate consumption on the premises or to be carried away without substantial change in form or substance. However, grocery and other stores that do not sell food items or meals, or beverages for immediate consumption on the

premises, are specifically excluded from this definition.

(g) "Other definitions." Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

SEC. 18. *Petitions for amendment.* Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance of the provisions of Revised Procedural Regulation Number 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Richmond District Office.

SEC. 19. *Revocation and amendment.* This order may be revoked, amended, or corrected at any time.

SEC. 20. *Effective date.* This order shall become effective July 1, 1944.

NOTE: The reporting and record keeping requirements of this order have been approved by the Bureau of the Budget and in accordance with the Federal Reports Act of 1942.

(Public Laws 56 Stat. 23, 765; Public Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, General Order 50, 8 F.R. 4808)

Issued at Richmond, Virginia, this 29th day of June 1944.

J. FULMER BRIGHT,  
District Director.

#### APPENDIX A

#### SECTION 1. Maximum prices for Group One-B.

	Price per bottle		
	5-11 oz. in- clu- sive	12-oz.	32-oz.
Bottle beer, etc.:			
Beer:	Cents	Cents	Cents
Ambassador.....	15	25	50
Ballantine-Brucks.....	15	25	50
Boubarassa-Breidts.....	15	25	50
Budweiser.....	15	25	50
Canadian Ace.....	15	25	50
Downs Art and Art.....	15	25	50
Embassy Club.....	15	25	50
Gold Coast.....	15	25	50
Kingsbury Pole.....	15	25	50
Miller's High Life.....	15	25	50
National Premium.....	15	25	50
Old Fashioned.....	15	25	50
Pabst Blue Ribbon.....	15	25	50
Piels.....	15	25	50
Schlitz.....	15	25	50
Trommer's White Label.....	15	25	50
Van Merritt.....	15	25	50
Blatz Pilsner.....	15	25	50
Ale:			
Ballantine.....	15	25	50
Ballantine Porter.....	15	25	50
Ballantine Pale Dry Indian.....	15	25	50
Carling's Red Cap.....	15	25	50
Canadian Ace.....	15	25	50
Champ.....	15	25	50
Kreuger Cream.....	15	25	50
Red Top.....	15	25	50
Malz Brau.....	15	25	50
All other brands (including all bottles with no labels).....	10	16	37

All brands in all other container sizes, 10 cents.

Draft Beer	Price cents
Size of glass:	
6 ounces.....	7
8 ounces.....	10
10 ounces.....	12
12 ounces.....	14
14 ounces.....	16
16 ounces.....	18
20 ounces.....	22
24 ounces.....	26

All other quantities—1 cent per ounce.

Cases: Multiply number of bottles in case by price established above for particular brand and size of bottle contained in case.

NOTE: Sellers who are required to pay a federal excise tax on cabarets may add it to above prices if such tax is separately stated and collected. No other tax may be added or collected.

#### SEC. 2. Maximum prices for Group Two-B.

	Price per bottle		
	5-11 oz. in- clu- sive	12-oz.	32-oz.
Bottle beer, etc.:			
Beer:	Cents	Cents	Cents
Ambassador.....	12	20	42
Ballantine-Brucks.....	12	20	42
Boubarassa-Breidts.....	12	20	42
Blatz Pilsner.....	12	20	42
Budweiser.....	12	20	42
Canadian Ace.....	12	20	42
Downs Art & Art.....	12	20	42
Embassy Club.....	12	20	42
Gold Coast.....	12	20	42
Kingsbury Pole.....	12	20	42
Miller's High Life.....	12	20	42
National Premium.....	12	20	42
Old Fashioned.....	12	20	42
Pabst Blue Ribbon.....	12	20	42
Piels.....	12	20	42
Schlitz.....	12	20	42
Trommer's White Label.....	12	20	42
Van Merritt.....	12	20	42
Ale:			
Ballantine.....	12	20	42
Ballantine Porter.....	12	20	42
Ballantine Pale Dry Indian.....	12	20	42
Carling's Red Cap.....	12	20	42
Canadian Ace.....	12	20	42
Champ.....	12	20	42
Kreuger Cream.....	12	20	42
Red Top.....	12	20	42
Malz Brau.....	12	20	42
All other brands (including all bottles with no labels).....	10	16	37

All brands in all other container sizes, 10 cents.

Draft Beer	Price (cents)
Size of glass:	
6 ounces.....	6
8 ounces.....	9
10 ounces.....	11
12 ounces.....	13
14 ounces.....	15
16 ounces.....	17
20 ounces.....	21
24 ounces.....	25

All other quantities—1 cent per ounce.

Cases—multiply number of bottles in case by price established above for particular brand and size of bottle contained in case.

NOTE: Sellers who are required to pay a Federal excise tax on cabarets may add it to above prices if such tax is separately stated and collected. No other tax may be added or collected.

#### Maximum prices for Group Three-B.

	Price per bottle		
	5-11 oz. in- clu- sive	12-oz.	32-oz.
Bottle beer, etc.:			
Beer:	Cents	Cents	Cents
Ambassador.....	10	16	37
Ballantine-Brucks.....	10	16	37
Boubarassa-Breidts.....	10	16	37
Blatz Pilsner.....	10	16	37
Budweiser.....	10	16	37
Canadian Ace.....	10	16	37
Downs Art and Art.....	10	16	37
Embassy Club.....	10	16	37
Gold Coast.....	10	16	37
Kingsbury Pole.....	10	16	37
Miller's High Life.....	10	16	37
National Premium.....	10	16	37
Old Fashioned.....	10	16	37
Pabst Blue Ribbon.....	10	16	37
Piels.....	10	16	37
Schlitz.....	10	16	37
Trommer's White Label.....	10	16	37
Van Merritt.....	10	16	37
Ale:			
Ballantine.....	10	16	37
Ballantine Porter.....	10	16	37
Ballantine Pale Dry Indian.....	10	16	37
Carling's Red Cap.....	10	16	37
Canadian Ace.....	10	16	37
Champ.....	10	16	37
Kreuger Cream.....	10	16	37
Red Top.....	10	16	37
Malz Brau.....	10	16	37
All other brands (including all bottles with no labels).....	7	11	32

All brands in all other container sizes, 10 cents.

Draft Beer	Price (cents)
Size of glass:	
6 ounces.....	6
8 ounces.....	9
10 ounces.....	11
12 ounces.....	13
14 ounces.....	15
16 ounces.....	17
20 ounces.....	21
24 ounces.....	25

All other quantities—1¢ per ounce.

Cases—Multiply number of bottles in case by price established above for particular brand and size of bottle contained in case.

NOTE: Sellers who are required to pay a federal excise tax on cabarets may add it to above prices if such tax is separately stated and collected. No other tax may be added or collected.

[F. R. Doc. 44-11703; Filed, August 4, 1944;  
4:38 p. m.]

[Region III Order G-9 Under RMPR 122,  
Amdt. 6]

SOLID FUELS IN MARION COUNTY, IND.

#### Correction

The table under paragraph (a) in F.R. Doc. 44-10280, appearing on page 7979 of the issue for Saturday, July 15, 1944, should read as follows:

Column I	Column II	Column III
C. Stoker, Size Group No. 10 (top size 12" and smaller x bottom size 12" and larger):		
1. Mine Price Classification A:		
a. Treated	\$9.40	\$8.75
b. Untreated	9.30	8.65
2. Mine Price Classifications B through E:		
a. Treated	9.10	8.40
b. Untreated	9.00	8.30
3. Mine Price Classifications F through lower:		
a. Treated	8.90	8.10
b. Untreated	8.80	8.00

[Region VII Rev. Order G-24 Under RMPR 122, Amdt. 1]

#### HI-HEAT COAL CO.

##### ADJUSTMENT OF MAXIMUM PRICES

Revised Order No. G-24 under Revised Maximum Price Regulation No. 122, Amendment No. 1. Solid fuels sold and delivered by dealers. Adjustment of specific maximum prices of dealers in Region VII to compensate for increases in supplier's price under Amendment 74 to Maximum Price Regulation No. 120.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 1 to Revised Order No. G-24 under Revised Maximum Price Regulation No. 122 is issued.

1. Paragraph (d), Appendix A, III (1) is amended to read as follows:

Operator	Subdistrict Index No.	Size groups	Amount	Effective date
(1) Hi-Heat Coal Co., Rains No. 2.	17	(1 through 9, 10 through 15)	Cent 40 35	4-5-44 7-17-44

2. *Effective date.* This Amendment No. 1 shall become effective on the 28th day of July 1944.

(56 Stat. 23, 765; 57 Stat. 506; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 28th day of July 1944.

RICHARD Y. BATTERTON,  
Regional Administrator.

[F. R. Doc. 44-11731; Filed, August 5, 1944; 11:49 a. m.]

[Region III Order G-25 Under RMPR 122]

#### SOLID FUELS IN ANDERSON, IND.

##### Correction

In paragraph (c) of F.R. Doc. 44-10285, appearing at page 7980 of the issue for Saturday, July 15, 1944, the second sentence should read as follows: "Column I describes the coal for which prices are established; Column II shows maximum prices for cash or credit sales on sales on a 'direct delivery' basis; Column III shows maximum prices for cash or credit 'yard sales' to dealers reselling coal."

[Tulsa Rev. Order 1 Under Rev. Restaurant MPR 5-6]

#### FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN TULSA, OKLA., DISTRICT

Revised Order No. 1 under Revised Restaurant MPR 5-6. Food and drink sold for immediate consumption. Specific prices for certain food items and meals.

Order No. 1 under Restaurant MPR 5-6 is redesignated as Revised Order No. 1 under Revised Restaurant MPR 5-6, and is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and under the authority reserved in the District Director of the Tulsa District Office of Region V of the Office of Price Administration by section 22 of Revised Restaurant MPR No. 5-6, it is hereby ordered:

SECTION 1. *Purpose of order.* It is the purpose of this order to establish specific maximum prices for certain food items, beverages and certain meals sold by eating or drinking places, except boarding houses, covered by Revised Restaurant MPR No. 5-6, in the City of Muskogee, Oklahoma.

SEC. 2. *Your ceiling prices.* Your ceiling prices for the food items listed in Appendix A and for the meals required to be served by section 5 are the prices entered in Appendix A for the group of eating or drinking places to which your establishment belongs. The meals are further described in Appendix B. The ceiling prices listed in Appendix A will prevail over the prices established under Revised Restaurant MPR No. 5-6 for these food items or meals. Your ceiling prices for all other food items or meals will continue to be those established under the regulation. Lower prices than those established by Appendix A may, of course, be charged.

SEC. 3. *Taxes.* The dollars-and-cents maximum prices for the meals and food items listed in Appendix A hereof include all Municipal, State, and Federal Taxes except the Oklahoma consumers sales tax and the Federal cabaret tax. In addition to the prices listed in Appendix A, you may charge the amount of:

(a) The Oklahoma consumers sales tax.

(b) The Federal cabaret tax, provided the following conditions are met:

(1) You are liable for payment of the cabaret tax on the sale being made.

(2) You actually pay the additional amount collected for this purpose.

(3) You state and collect the tax separately.

When the amount of the total sale, plus the exact amount of the cabaret tax results in a figure with a fractional cent, the amount to be collected shall be raised or lowered to the nearer even cent.

SEC. 4. *Classifications.*—(a) *The groups.* This order classifies eating or drinking places into six groups and establishes ceiling prices applicable to each group. The groups are as follows:

(1) Any eating or drinking place operated by or in connection with a drug store belongs to group 1.

(2) Any eating or drinking place, other than those operated by or in con-

nection with a drug store, belongs to either group 2 or group 3 if it derives the greatest percentage of its dollar volume of business from sales of sandwiches and drinks. It belongs to group 2 if the prices which it charged during the seven-day period from April 4 to April 10, 1943 correspond more closely to the ceiling prices listed in Appendix A for group 2 places than they do to the ceiling prices listed in that Appendix for group 3 places. Conversely, it belongs to group 3 if its April 4-10 prices correspond more closely to the group 3 than to the group 2 ceiling prices.

(3) Any other eating or drinking place belongs to either group 4, group 5, or group 6. It belongs to group 4 if the prices which it charged during the seven-day period from April 4 to April 10, 1943 correspond most closely to the ceiling prices listed in Appendix A for group 4 places; to group 5 if its April 4-10 prices correspond most closely to the ceiling prices established for that group; and to group 6 if its April 4-10 prices correspond most closely to the ceiling prices established for group 6.

(4) Any eating or drinking place which during the period April 4-10, 1943 did not sell any items contained in Appendix A shall be in the same group as other establishments in the vicinity having substantially the same clientele, the same service and the same quality of food.

(b) *Determination.* The District Director of the Office of Price Administration will determine the group to which your eating or drinking place belongs and will notify you of his determination. If, however, you have received no such notice by the effective date of this order or by the date when your place is first open, whichever is later, you must immediately inform the District Director and request him to determine your proper classification. When you have made such a request you may sell at the ceiling prices for the group to which you believe your place belongs under the terms of paragraph (a), until such time as the District Director notifies you of your proper classification. If you fail to request the District Director to determine your proper classification, your place is automatically classified in group 4, and you must not charge prices higher than the ceiling prices established for this group.

(c) *Review of determination.* If you believe you have been improperly classified by the District Director you may apply for a reconsideration of his determination. Your application must be filed within thirty days after you receive notice of the classification.

SEC. 5. *Duty to serve certain meals.* (a) If you serve noon-day luncheons, whether table d'hôte or a la carte, and if your place belongs to a group for which a noon-day luncheon price is listed in Appendix A, you must offer each day at or below the price so listed at least two different luncheon selections of a content and quality equal or superior to the luncheons described in Appendix B. You may quote the price for these two luncheon selections either as a table d'hôte price for the complete luncheon or as a la carte prices for each item entering

into the luncheon. However, if you quote prices for each item separately, the sum of these prices must not be more than the price listed in Appendix A for the complete luncheon.

(b) If you serve evening luncheons or dinners, whether table d'hôte or a la carte, and if your place belongs to a group for which an evening luncheon or dinner price is listed in Appendix A, you must offer each day at or below the price so listed at least two evening luncheon or dinner selections of a content and quality equal to or superior to the evening luncheons or dinners described in Appendix B. You may quote the price for these two evening luncheon or dinner selections either as a table d'hôte price for the complete evening luncheon or dinner or a la carte prices for each item entering into the meal. However, if you quote prices for each item separately, the sum of these prices must not be more than the price listed in Appendix A for the complete evening luncheon or dinner.

(c) If your eating or drinking place is in Group 4 or Group 5 and if you can show:

(1) That you did not serve evening luncheons during the seven-day period from April 4-10, to 1943 at or about the price listed in Appendix A for such evening luncheons, and

(2) That the requirement that you must now serve such luncheons will seriously change your customary operating practices,

you may apply to the Director to be relieved of the obligation to serve the evening luncheon described in Appendix B.

(d) If during the seven-day period from April 4-10, 1943, your establishment served no luncheons or dinners other than specialty meals such as steak dinners, chicken dinners, barbecued beef, or Mexican and Chinese dishes, you may apply to the District Director for relief from the obligation to serve the meals described in Appendix B.

Sec. 6. *Posting.* (a) In addition to the posting required by Revised Restaurant MPR No. 5-6 you must post in a conspicuous place your classification as determined by the District Director and copy of the prices applicable to your establishment under this order.

(b) If you have been relieved of the necessity of serving meals under Section 5 of this order, you must post in a conspicuous place in your establishment the certificate of the District Director relieving you of that necessity.

Sec. 7. *Definitions.* (a) "Noon-day luncheon" means any entree or main dish served separately or in combination with other food items or beverages as a mid-day meal.

(b) "Evening luncheon or dinner" means any entree or main dish sold separately or in combination with other food items or beverages sold as an evening meal.

(c) Unless the context otherwise requires, the definitions set forth in Section 302 of the Emergency Price Control Act of 1942, as amended, the General Maximum Price Regulation, and Revised Restaurant MPR No. 5-6 shall apply to the other terms used herein.

This order shall become effective at 12:01 a. m., central war time, April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; General Order No. 50, 8 F.R. 4808)

NOTE: The reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Tulsa, Oklahoma, this 27th day of March 1944.

BEN O. KIRKPATRICK,  
District Director.

#### APPENDIX A

Food item or meal	Group 1	Group 2	Group 3	Group 4	Group 5	Group 6
Luncheons—Dinners:	ct.	ct.	ct.	ct.	ct.	ct.
Noon luncheon.....				30	40	50
Evening luncheon.....				30	40	50
Vegetable luncheon.....				25	40	45
Vegetable dinner.....				25	40	45
Breakfasts:						
Cereal—with milk or half and half.....	15	15	20	15	20	20
Toast.....	05	10	10	10	10	10
1 egg—toast and coffee.....	20	20	25	20	25	25
2 eggs—toast and coffee.....	30	30	35	25	30	35
Bacon, ham, or sausage with 1 egg, toast and coffee.....	35	30	40	30	35	40
Bacon, ham, or sausage with 2 eggs, toast and coffee.....	45	40	50	35	45	50
Hot cakes.....	20	15	20	20	20	25
Waffle.....	25	25	25	25	25	25
Sandwiches:						
Bacon and tomato.....	15	20	25	15	20	25
Lettuce and tomato.....	15	15	20	15	15	20
Barbecue—Beef or pork.....	20	20	25	20	20	25
American cheese.....	15	15	20	15	15	20
Beef or pork.....	20	20	25	20	20	25
Fried, baked, or boiled ham.....	20	20	25	20	20	25
Goose liver.....	20	15	20	15	20	20
Chicken salad.....	20	25	30	20	25	35
Hamburger.....	15	10	15	15	15	20
Egg.....	10	15	15	15	15	20
Hot beef with potatoes and gravy.....	30	20	30	25	30	35
Hot pork with potatoes and gravy.....	30	20	30	25	30	35
Steak.....	20	20	25	20	25	30
Soup, pie, rolls, etc.:						
Chili with beans, bread or crackers.....	20	20	20	20	20	20
Chili straight, with bread or crackers.....	25	25	25	25	25	25
Beef stew with bread or crackers.....	20	20	25	20	20	25
Home-made soup with bread or crackers.....	15	10	15	15	15	15
Canned soup with bread or crackers.....	20	20	20	20	25	25
Doughnut.....	05	05	05	05	05	05
Sweet Roll.....	05	05	05	05	05	05
Toasted sweet roll.....	05	05	10	05	05	10
Pie.....	10	10	10	10	10	10
Cake.....	10	10	10	10	10	10
Beverages:						
Coffee.....	05	05	05	05	05	05
Iced coffee.....	05	05	10	05	05	10
Hot tea.....	05	05	05	05	05	05
Iced tea.....	05	05	10	05	05	10
Sweet milk.....	06	06	07	06	07	07
Buttermilk.....	05	05	05	05	05	05
Fountain items:						
Milk shake.....	15	15	15	15	15	15
Malted milk.....	20	20	20	20	20	20
Ice cream soda.....	15	15	15	15	15	15
Ice cream sundae.....	15	15	15	15	15	15
Dish of ice cream.....	10	10	10	10	10	10
Milk chocolate.....	15	15	15	15	15	15
Fruit—vegetable juices:						
Orange juice.....	15	10	15	10	10	15
Tomato juice.....	10	10	10	10	10	10
Grapefruit juice.....	10	10	10	10	10	10

#### APPENDIX B

##### DESCRIPTION OF ITEMS

##### Noon and Evening Luncheon Combination

##### Choice of one entree

1. Hamburger Steak.
2. Meat Loaf (Ham, Veal, etc.)
3. Chicken Fried Steak.
4. Roast Beef.
5. Roast Pork.

6. Beef Stew.
7. Fillet of Perch.
8. Cat Fish.
9. Chicken and Dumplings.
10. Chicken Pie.
11. Chicken a la King.
12. Liver and Onions.
13. Croquettes (Ham, Chicken or Salmon).
14. Short Ribs.
15. Barbecued Beef or Pork.

##### Choice of

- 2 vegetables—one of which may be potatoes  
Bread and Butter  
Drink

##### Vegetable Luncheon

- Choice of 4 vegetables or 3 vegetables & salad  
Bread and Butter  
Drink

[F. R. Doc. 44-11797; Filed, August 7, 1944; 11:46 a. m.]

[Detroit Order G-5 Under MPR 426, Amdt. 2]

##### SWEET CHERRIES IN WAYNE COUNTY, MICH.

Amendment No. 2 to Order No. G-5 under Maximum Price Regulation No. 426. Order adjusting maximum wholesale prices of sweet cherries sold in Wayne County, Michigan.

The approval of the Regional Director of Food Distribution to Detroit District Office Order No. G-5 as amended, under Maximum Price Regulation No. 426 is added to read as follows:

Approved:

E. O. POLLACK,  
Regional Director of  
Food Distribution.

Effective: August 2, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of August 1944.

W. E. FITZGERALD,  
District Director.

[F. R. Doc. 44-11808; Filed, August 7, 1944; 1:19 p. m.]

[Detroit Order G-6 Under MPR 426, Amdt. 2]

##### CERTAIN DECIDUOUS TREE FRUITS IN WAYNE COUNTY, MICH.

Amendment No. 2 to Order No. G-6 under Maximum Price Regulation No. 426. Adjusting certain maximum mark-ups of certain deciduous tree fruits sold in Wayne County, Michigan.

The approval of the Regional Director of Food Distribution to Detroit District Office Order No. G-6 as amended, under Maximum Price Regulation No. 426 is added to read as follows:

Approved:

E. O. POLLACK,  
Regional Director of  
Food Distribution.

Effective August 2, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of August 1944.

W. E. FITZGERALD,  
District Director.

[F. R. Doc. 44-11809; Filed, August 7, 1944; 1:19 p. m.]

[Jackson Order G-1 Under Gen. Order 50, Amdt. 1]

# MALT AND CEREAL BEVERAGES IN MISSISSIPPI

Amendment 1 to Order No. G-1 under General Order No. 50. Maximum prices for malt and cereal beverages in the State of Mississippi.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Jackson (Mississippi) District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, this Amendment 1 to Order No. G-1, issued by the Jackson (Mississippi) District Office of the Office of Price Administration under General Order No. 50, is hereby issued.

(a) Appendix A is hereby amended by adding under Group 1 B the following brand or trade name and maximum prices, to-wit:

Brand or trade name	Maximum prices per bottle	
	12-ounce	32-ounce
Birk's Trophy.....	Cents 25	Cents 51

(b) Appendix A is further amended by adding under Group 2B the following brand or trade name and maximum prices, to-wit:

Brand or trade name	Maximum prices per bottle	
	12-ounce	32-ounce
Birk's Trophy.....	Cents 21	Cents 47

(c) Appendix A is further amended by adding under Group 3B the following brand or trade name and maximum prices, to-wit:

Brand or trade name	Maximum prices per bottle	
	12 ounce	32 ounce
Birk's Trophy.....	Cents 20	Cents 42

**Effective date.** This amendment becomes effective on and after June 14, 1944.

(Pub. Law 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, General Order 50, 8 F.R. 4808)

Issued this 14th day of June 1944.

DEWEY S. DEARMAN,  
Acting District Director.

[F. R. Doc. 44-11821; Filed, August 7, 1944; 1:22 p. m.]

No. 158—9

[Jackson Order G-1 Under Gen. Order 50, Amdt. 2]

# MALT AND CEREAL BEVERAGES IN MISSISSIPPI

Amendment 2 to Order No. G-1 under General Order No. 50. Maximum prices for malt and cereal beverages in the State of Mississippi.

For the reasons set forth in an Opinion issued simultaneously herewith, and under the authority vested in the District Director of the Jackson (Mississippi) District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, this Amendment 2 to Order No. G-1, issued by the Jackson (Mississippi) District Office of the Office of Price Administration under General Order No. 50, is hereby issued.

(a) Appendix A is hereby amended by adding under Group 1 B the following brand or trade name and maximum price, to-wit:

## Maximum Price Per Bottle, 12-Ounce

Brand or trade name: Cents  
Carta Blanca..... 35

(b) Appendix A is further amended by adding under Group 2 B the following brand or trade name and maximum price, to-wit:

## Maximum Price Per Bottle, 12-Ounce

Brand or trade name: Cents  
Carta Blanca..... 32

(c) Appendix A is further amended by adding under Group 3 B the following brand or trade name and maximum price, to-wit:

## Maximum Price Per Bottle, 12-Ounce

Brand or trade name: Cents  
Carta Blanca..... 30

**Effective date.** This amendment becomes effective on and after July 13, 1944.

(Pub. Law 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, General Order 50, 8 F.R. 4808)

Issued this 12th day of July 1944.

DEWEY S. DEARMAN,  
Acting District Director.

[F. R. Doc. 44-11822; Filed, August 7, 1944; 1:21 p. m.]

[Region VI Order G-61 Under SR 15, MPR 280 and MPR 329, Amdt. 2]

# FLUID MILK IN BRAINERD, MINN.

## Correction

In paragraph (c) (2) of F.R. Doc. 44-10220, appearing on page 7902 of the issue for Friday, July 14, 1944, the fourth line under the table should read: "be increased to the next even cent. An."

[Region VIII Order G-10 Under 3 (c)]

# PLASTIC DIE & TOOL CO.

## ADJUSTMENT OF MAXIMUM PRICES

Order No. G-10 under § 1499.3 (c) as amended of the General Maximum Price Regulation. Plastic container for sanitary napkins. Maximum prices for sales and deliveries of plastic container for sanitary napkins manufactured by Plastic Die & Tool Company.

For the reasons set forth in the accompanying opinion, and under the authority conferred upon the Regional Administrator by section 3 (c) of the General Maximum Price Regulation, as amended, and Revised General Order 32, the following maximum prices are established for sales and deliveries of a plastic container for sanitary napkins manufactured by Plastic Die & Tool Co. of Los Angeles, California, and known as "Purse Pack" by sellers subject to the General Maximum Price Regulation who did not sell the same, a "similar" or "comparable" commodity in March 1942, and whose competitors did not sell the same or a similar commodity in March 1942:

\$0.39 per container for sales other than at retail.

\$0.65 per container for "sales at retail".

The terms "similar" and "comparable" shall have the meaning of those terms as used in the General Maximum Price Regulation; "sales at retail" mean sales to ultimate consumers.

This order shall apply to all sales and deliveries in the States of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River; and the following counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

This order may be amended, corrected, or revoked at any time.

This order shall take effect August 2, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of July 1944.

BEN C. DUNIWAY,  
Acting Regional Administrator.

[F. R. Doc. 44-11811; Filed, August 7, 1944; 1:18 p. m.]

[Region VII Rev. Order G-24 Under RMPR 122]

# SOLID FUELS IN DENVER REGION

## Correction

The heading of Table II in F.R. Doc. 44-10225, appearing at page 7905 of the issue for Friday, July 14, 1944, should read "II. Mines in District 19".

[Region VIII Order G-11 Under 3 (c)]

**OCCIDENTAL MFG. CO.**

**ADJUSTMENT OF MAXIMUM PRICES**

Order No. G-11 under § 1499.3 (c) as amended of the general maximum price regulation. Slumber shades.

Maximum prices for sales of slumber shades manufactured by Occidental Manufacturing Co.

For the reasons set forth in the accompanying opinion and pursuant to the authority conferred upon the Regional Administrator by section 3 (c) of the General Maximum Price Regulation and Revised General Order 32 the following order is issued:

a. The maximum price for sales by "jobbers" of slumber shades manufactured by Occidental Mfg. Co., 310 N. Ogden Drive, Los Angeles, California, shall be \$3.60 per dozen.

b. "Jobbers" means sellers who purchase slumber shades and resell them to persons other than ultimate consumers.

c. This order shall apply to all sales and deliveries in the States of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River; and the following counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho by "jobbers" who did not sell the same, similar or comparable commodities in March 1942 and whose closest competitors did not sell the same or similar commodities in March 1942.

This order may be amended, corrected, or revoked at any time.

This order shall take effect August 2, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of July 1944.

BEN C. DUNIWAY,  
Acting Regional Administrator.

[F. R. Doc. 44-11812; Filed, August 7, 1944;  
1:19 p. m.]

[Region II Order G-44 Under RMPR 122]

**PENNSYLVANIA ANTHRACITE IN WEST-CHESTER COUNTY, EXCEPT CITY OF YONKERS, N. Y.**

**Correction**

In F.R. Doc. 44-9905, appearing at page 7623 of the issue of Saturday, July 8, 1944, the reference to Coal Area K in paragraph (d) (1) (iii) should be "Coal Area X".

[Peoria District Order G-2 Under MPR 426 and MPR 285]

**FRESH FRUITS AND VEGETABLES IN JOLIET, ILL., AREA**

Order No. G-2 under § 1439.3-15, Appendix H (f) Appendix I (g) of Maximum Price Regulation No. 426 and

§1351.1254a (a) of Maximum Price Regulation No. 285. Delivery differentials for wholesalers of certain fresh fruits and vegetables in Joliet, Illinois, and vicinity.

For the reasons set forth in the accompanying opinion issued simultaneously herewith and under the authority vested in the District Director of the Peoria District Office of the Office of Price Administration by § 1439.3-15, Appendix H (f), Appendix I (g) of Maximum Price Regulation 426 and § 1351.1254a (a) of Maximum Price Regulation 285, Order No. G-2 is hereby issued.

(a) *What this order does.* This order determines the limits of the free delivery zone at the wholesale receiving point of Joliet, Illinois and vicinity. It also establishes differentials for non-delivered sales in the free delivery zone and for delivered sales beyond the free delivery zone. The order applies to such fresh fruit and vegetable items as are now or may hereafter be subject to the pricing provisions of MPR 285 and Appendices H and I of Maximum Price Regulation 426. The only sellers who are subject to this order are those wholesalers who price under Maximum Price Regulation 285 and secondary jobbers and service wholesalers, as those terms are used in Appendices H and I of Maximum Price Regulation 426.

(b) *Establishment of delivery zones.* (1) The free delivery zone established by this order shall be the area comprising the City of Joliet, including the subdivision of Ridgewood and the Village of Rockdale, all of which are located in the County of Will and State of Illinois.

(2) The zone in which charges may be made for delivery is the area outside the free delivery zone.

(c) *Differentials for non-delivered and delivered sales of items listed in Appendices H and I of Maximum Price Regulation 426—*(1) *Non-delivered sales.* For sales on a non-delivered basis there shall be deducted from the price for delivered sales in the free delivery zone 5¢ per container for standard shipping containers weighing under 50 lbs. gross weight and 10¢ per container for standard shipping container weighing 50 lbs. or over gross weight.

(2) *Delivered sales in the free delivery zone.* For deliveries in the free delivery zone the maximum delivered price shall be the maximum delivered price computed under Maximum Price Regulation 426, for the type of sale being made without any deduction from or addition thereto.

(3) *Delivered sales beyond the free delivery zone.* For deliveries beyond the free delivery zone the seller may add to the maximum price for delivered sales in the free delivery zone the sum of 25¢ per cwt. The cwt. charge on commodities covered by Appendix H and Appendix I shall be figured on the basis of gross weight.

(d) *Differentials for non-delivered and delivered sales of items under Maximum Price Regulation 285—*(1) *Non-delivered sales and delivered sales in the free delivery zone.* For non-delivered sales and

for delivered sales in the free delivery zone the maximum price shall be the maximum delivered price computed under Maximum Price Regulation 285 for the type of sale being made. Discounts and price differentials including any differentials or discount for f. o. b. non-delivered sales must be maintained.

(2) *Delivered sales beyond the free delivery zone.* For delivered sales beyond the free delivery zone, the wholesaler may add 25¢ per cwt. The cwt. charge on bananas shall be figured on a net weight basis.

(e) *Definitions.* "Delivery" means delivery to the physical premises of a retail store, hotel, restaurant or institution.

Unless the context otherwise requires, the terms used therein shall have the same meaning as given them in Maximum Price Regulation 285 and Maximum Price Regulation 426.

(f) This order may be revoked, revised, amended or corrected at any time.

(g) This order shall become effective on the 26th day of June, 1944.

(Pub. Law 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 23d day of June 1944.

JAS. A. CARRUTHERS,  
District Director.

Approved:

E. O. POLLOCK,  
Regional Director,  
War Food Administration.

[F. R. Doc. 44-10925; Filed, July 21, 1944;  
1:06 p. m.]

[Colorado Order G-1 Under MPR 165]

**CLEANING SERVICES IN DENVER AREA**

**Correction**

In F.R. Doc. 44-9906, appearing on page 7634 of the issue of Saturday, July 8, 1944, the fifth sentence of paragraph (b) should read "The following services constitute the cleaning, checking and oiling of a stoker: Removing coal from hopper and worm housing; painting hopper and worm housing to prevent rust; cleaning plenum chamber; cleaning and oiling motor; checking thoroughly fan unit; flushing gear case and refilling it with approved oil; and inspecting and adjusting 'V' belts".

**LIST OF COMMUNITY CEILING PRICE ORDERS**

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on August 4, 1944.

**REGION II**

Altoona Order 12, Amendment 2, covering community food prices in certain areas in the Altoona District, filed 9:53 a. m.

Concord Order 16, Amendment 1, covering poultry items in certain areas in New Hampshire, filed 3:45 p. m.

District of Columbia Order 1-F, Amendment 19, covering fresh fruits and vegetables in designated area of the District of Columbia Area, filed 9:53 a. m.

Harrisburg Order 1-F, Amendment 8, covering fresh fruits and vegetables in named counties in Penna., filed 9:52 a. m.

Maryland Order 1-F, Amendment 18, covering fresh fruits and vegetables in Baltimore City and suburban communities, filed 9:59 a. m.

Maryland Order 3-F, Amendment 5, covering fresh fruits and vegetables in Hagerstown, Md., filed 9:51 a. m.

Pittsburgh Order 1-F, Amendment 17, covering fresh fruits and vegetables in Pittsburgh and certain suburban communities, filed 9:49 a. m.

Providence Order 2-F, Amendment 11, covering fresh fruits and vegetables in Rhode Island except certain areas, filed 3:45 p. m.

Providence Order 1-F, Amendment 11, covering fresh fruits and vegetables in the Providence, R. I. Metropolitan Area, filed 3:45 p. m.

Trenton Order 5-F, Amendment 1, covering fresh fruits and vegetables in Mercer, Middlesex and Monmouth, filed 9:52 a. m.

Wilmington Order 3-F, Amendment 2, covering fresh fruits and vegetables in certain named areas, filed 9:52 a. m.

Williamsport Order 1-F, Amendment 18, covering fresh fruits and vegetables in named counties in Penna., filed 9:52 a. m.

### REGION III

Cincinnati Order 2-F, Amendment 35, covering fresh fruits and vegetables in Butler, Clark, Montgomery and Scioto in Ohio, filed 9:50 a. m.

Cincinnati Order 3-F, Amendment 11, covering fresh fruits and vegetables in certain areas in Ohio, filed 9:50 a. m.

Indianapolis Order 9-W, Amendment 1, covering dry groceries in Central Indiana, filed 3:46 p. m.

Indianapolis Order 10-W, Amendment 1, covering dry groceries in Southwestern Indiana, filed 3:56 p. m.

Indianapolis Order 11-W, Amendment 1, covering dry groceries in Northwestern Indiana, filed 3:47 p. m.

Indianapolis Order 12-W, Amendment 1, covering dry groceries in Northeastern Indiana, filed 3:47 p. m.

Indianapolis Order 13-W, Amendment 1, covering dry groceries in Southeastern Indiana, filed 3:47 p. m.

Indianapolis Order 26, Amendment 1, covering dry groceries in Central Indiana, filed 3:46 p. m.

Indianapolis Order 27, Amendment 1, covering dry groceries in Southwestern Indiana, filed 3:46 p. m.

Indianapolis Order 28, Amendment 1, covering dry groceries in Northwestern Indiana, filed 3:46 p. m.

Indianapolis Order 29, Amendment 1, covering dry groceries in Northeastern Indiana, filed 3:46 p. m.

Indianapolis Order 30, Amendment 1, covering dry groceries in Southeastern Indiana, filed 3:46 p. m.

Indianapolis Order 4-F, Amendment 23, covering fresh fruits and vegetables in Marion, Vigo and Tippecanoe, filed 9:55 a. m.

Indianapolis Order 5-F, Amendment 23, covering fresh fruits and vegetables in Wayne, Delaware and Allen, filed 9:47 a. m.

Indianapolis Order 6-F, Amendment 23, covering fresh fruits and vegetables in St. Joseph, filed 9:48 a. m.

Indianapolis Order 7-F, Amendment 10, covering fresh fruits and vegetables in Vanderburgh, filed 9:48 a. m.

Indianapolis Order 8-F, Amendment 23, covering fresh fruits and vegetables in certain named counties, filed 9:48 a. m.

Indianapolis Order 9-F, Amendment 23, covering fresh fruits and vegetables in certain counties in Ohio, filed 9:48 a. m.

Indianapolis Order 10-F, Amendment 23, covering fresh fruits and vegetables in named counties in Indianapolis District, filed 9:48 a. m.

Indianapolis Order 11-F, Amendment 23, covering fresh fruits and vegetables in named counties in Indianapolis District, filed 9:49 a. m.

Indianapolis Order 12-F, Amendment 8, covering fresh fruits and vegetables in named counties in Indianapolis District, filed 9:49 a. m.

Louisville Order 4-F, Amendment 1, covering fresh fruits and vegetables in named counties in Ky., filed 9:55 a. m.

Louisville Order 5-F, Amendment 1, covering fresh fruits and vegetables in named counties in Ky., filed 9:55 a. m.

Louisville Order 6-F, Amendment 1, covering fresh fruits and vegetables in certain counties in Ky., filed 9:55 a. m.

Louisville Order 7-F, Amendment 1, covering fresh fruits and vegetables in certain counties in Ky., filed 9:55 a. m.

Saginaw Order 2-F, Amendment 29, covering fresh fruits and vegetables in certain counties in Michigan.

### REGION IV

Jackson Order 3-F, Amendment 4, covering fresh fruits and vegetables in certain counties in the Jackson, Miss. District Area, filed 9:50 a. m.

Jacksonville Order 4-F, Amendment 5, covering fresh fruits and vegetables in designated counties in Florida, filed 9:43 a. m.

Jacksonville Order 5-F, Amendment 5, covering fresh fruits and vegetables in certain areas in Florida, filed 9:41 a. m.

### REGION V

Houston Order 2-F, Amendment 9, covering fresh fruits and vegetables in certain areas in Houston District, filed 9:41 a. m.

Kansas City Order G-19, covering community food prices in certain areas in Kansas, filed 9:56 a. m.

Kansas City Order G-20, covering community food prices in certain areas in Kansas, filed 9:58 a. m.

Kansas City Order 3-W, covering community food prices in a certain definite area in Mo. and certain counties in Kansas, filed 9:56 a. m.

St. Louis Order 3-F, Amendment 12, covering fresh fruits and vegetables in certain areas in St. Louis District, filed 9:41 a. m.

### REGION VI

Chicago Order 2-W, Amendment 1, covering dry groceries in Chicago Metropolitan District, filed 9:50 a. m.

Chicago Order 8, Amendment 1, covering dry groceries and certain perishables in certain areas in Ill., filed 9:50 a. m.

Green Bay Order 2-F, Amendment 23, covering fresh fruits and vegetables in certain areas in Wis., filed 9:43 a. m.

Green Bay Order 3-F, Amendment 17, covering fresh fruits and vegetables in certain areas in Wis., filed 9:43 a. m.

Duluth-Superior Order 2-F, Amendment 6, covering fresh fruits and vegetables in certain areas in Minn. and Wis., filed 9:41 a. m.

Springfield Order 1-FS, Amendment 2, covering fresh fruits and vegetables in Springfield, Sangamon Co., Ill., filed 9:43 a. m.

Sioux Falls Adopting Order 6, covering retail community food prices in certain counties in S. Dakota, filed 9:44 a. m.

### REGION VII

Wyoming Order 1-F, Amendment 8, covering fresh fruits and vegetables in the Cheyenne Area, filed 10:35 a. m.

Wyoming Order 2-F, Amendment 6, covering fresh fruits and vegetables in the Laramie Area, filed 10:36 a. m.

Wyoming Order 3-F, Amendment 5, covering fresh fruits and vegetables in the Casper Area, filed 10:35 a. m.

Wyoming Order 4-F, Amendment 5, covering fresh fruits and vegetables in the Sheridan Area, filed 10:35 a. m.

Wyoming Order 5-F, Amendment 4, covering fresh fruits and vegetables in the Rock Springs Area, filed 10:36 a. m.

### REGION VIII

Los Angeles Order 1-F, Amendment 25, covering fresh fruits and vegetables in the Santa Barbara-Ventura Area.

Fresno Order 1-F, Amendment 28, covering fresh fruits and vegetables in Fresno, Calif., filed 10:38 a. m.

Fresno Order 2-F, Amendment 18, covering fresh fruits and vegetables in Modesto, Stanislaus, Calif., filed 10:38 a. m.

Fresno Order 3-F, Amendment 13, covering fresh fruits and vegetables in certain areas in Calif., filed 10:37 a. m.

Sacramento Order 14, Amendment 5, covering community prices of poultry in Sacramento District, filed 10:37 a. m.

Spokane Order 1-F, Amendment 19, covering community fresh fruits and vegetables in certain areas in Spokane Co., Wash., filed 10:35 a. m.

Spokane Order 2-F, Amendment 16, covering community fresh fruits and vegetables in certain areas of Kootenai Co., Idaho, filed 10:35 a. m.

Seattle Order 1-W, Amendment 1, covering dry groceries in certain counties in Wash., filed 10:37 a. m.

Seattle Order 80, covering community food prices in the Seattle Area, filed 9:44 a. m.

Seattle Order 81, covering community food prices in the Tacoma Area, filed 9:45 a. m.

Amendment 1 to Order 81 of Seattle, covering community food prices in the Tacoma Area, filed 10:36 a. m.

Seattle Order 82, covering community food prices in the Everett Area, filed 9:45 a. m.

Seattle Order 83, covering community food prices in the Bremerton Area, filed 9:46 a. m.

Seattle Order 84, covering community food prices in the Bellingham Area, filed 9:47 a. m.

Seattle Order 85, covering community food prices in the Olympia Area, filed 9:46 a. m.

Seattle Order 86, covering community food prices in the Aberdeen-Hoquiam Area, filed 9:46 a. m.

Seattle Order 87, covering community food prices in the Centralia-Chehalis Area, filed 9:46 a. m.

Seattle Order 88, covering community food prices in the Wenatchee Area, filed 9:47 a. m.

Seattle Order 89, covering community food prices in the Yakima Area, filed 9:47 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 44-11798; Filed, August 7, 1944;  
11:46 a. m.]

### LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on August 5, 1944.

### REGION I

Boston Order 6-F, Amendment 7, covering fresh fruits and vegetables in named areas in Boston District Area, filed 9:43 a. m.

Connecticut Order 2-F, Amendment 19, covering fresh fruits and vegetables in certain areas in Connecticut, filed 9:44 a. m.

## REGION II

Philadelphia Order 2-F, Amendment 1, covering fresh fruits and vegetables in Montgomery and Delaware Counties, Penna., filed 9:44 a. m.

Philadelphia Order 3-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Penna., filed 9:44 a. m.

Syracuse Order P-2, Amendment 1, covering fresh fish and seafood in named cities in New York, filed 9:45 a. m.

Syracuse Order P-2, Amendment 2, covering fresh fish and seafood in named cities in New York, filed 9:45 a. m.

Syracuse Order P-3, Amendment 1, covering fresh fish and seafood in named areas in New York, filed 9:45 a. m.

Syracuse Order P-3, Amendment 2, covering fresh fish and seafood in named areas in New York, filed 9:45 a. m.

Syracuse Order 2-F, Amendment 1, covering fresh fruits and vegetables in certain areas in New York, filed 9:45 a. m.

## REGION III

Cincinnati Order 3-F, Amendment 10, covering fresh fruits and vegetables in certain areas in Ohio, filed 9:46 a. m.

Charleston Order 3-F, Amendment 32, covering fresh fruits and vegetables in named counties in W. Vir., filed 9:46 a. m.

Charleston Order 7-F, Amendment 18, covering fresh fruits and vegetables in named areas in W. Vir., filed 9:47 a. m.

Charleston Order 8-F, Amendment 18, covering fresh fruits and vegetables in certain counties in W. Vir., filed 9:47 a. m.

Charleston Order 9-F, Amendment 17, covering fresh fruits and vegetables in certain areas in W. Virginia, filed 9:47 a. m.

Charleston Order 10-F, Amendment 17, covering fresh fruits and vegetables in certain counties in W. Vir., filed 9:47 a. m.

Charleston Order 11-F, Amendment 8, covering fresh fruits and vegetables in Berkeley, Jefferson and Morgan, W. Vir., filed 9:47 a. m.

Charleston Order 12-F, Amendment 8, covering fresh fruits and vegetables in certain counties in W. Vir., filed 9:48 a. m.

Charleston Order 13-F, Amendment 2, covering fresh fruits and vegetables in certain counties in W. Vir., filed 9:48 a. m.

Columbus Order 8, Amendment 11, covering community food prices in certain areas in Ohio, filed 9:43 a. m.

## REGION VI

Des Moines Order 1-F, Amendment 27, covering fresh fruits and vegetables in the Des Moines Area.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 44-11852; Filed, August 8, 1944;  
11:24 a. m.]

## SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-17, 59-11, 54-25]

UNITED LIGHT AND POWER CO., ET AL.

## NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of August A. D. 1944.

In the matter of The United Light and Power Company, The United Light and

Railways Company, American Light and Traction Company, Continental Gas & Electric Corporation, United American Company, and Iowa-Nebraska Light and Power Company, respondents, File No. 59-17; The United Light and Power Company and Its Subsidiary Companies, respondents, File No. 59-11; The United Light and Power Company, applicant, File No. 54-25.

Notice is hereby given, that The United Light and Power Company ("Power"), a registered holding company, and The United Light and Railways Company ("Railways"), also a registered holding company and a subsidiary of Power, have filed with this Commission an application, designated as "Application No. 14A", pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 with respect to a proposal to effect an interim distribution of common stock of Railways to the preferred stockholders of Power prior to final court review of pending plan for the liquidation and dissolution of Power.

By order dated April 5, 1943, this Commission approved a plan under section 11 (e) of the act for the liquidation and dissolution of Power as required by the Commission's order dated March 20, 1941. The plan provides, among other things, that 94.52% of the common stock of Railways should be distributed to the preferred stockholders of Power and 5.48% of the common stock of Railways should be distributed to Power's common stockholders, the distribution to be made on or after the thirtieth day following the date upon which the order approving the plan is no longer subject to judicial review. On August 4, 1943, the District Court for the District of Delaware entered an order approving and enforcing the plan, and on April 20, 1944, the United States Circuit Court of Appeals for the Third Circuit affirmed the action of the District Court upon appeal by Otis & Co., a preferred stockholder of Power. On June 12, 1944, the United States Supreme Court granted a petition by Otis & Co. for a writ of certiorari to review the judgment of the Circuit Court.

The question raised by Otis & Co. in its appeal to the Supreme Court is whether the common stockholders of Power are entitled to any participation in the distribution of the common stock of Railways. Application 14A has been filed for the stated purpose of effecting an interim distribution to the preferred stockholders of Power without awaiting final court determination of the foregoing question, on the theory that the pending litigation does not raise any question with respect to the propriety of the distribution of 94.52% of Railways common stock to which all parties to the litigation concede Power's preferred stockholders are entitled, and that, therefore, the interim distribution will not be prejudicial to any persons whose rights are being determined in the appeal. The application states that the proposed distribution will place Power's preferred stockholders in a position to receive dividends to the extent earnings are available, will accomplish a more

equitable distribution of the voting power of the holding company system and will tend to create orderly markets for the common stock of Railways.

All interested persons are referred to said Application No. 14A, which is on file at the office of this Commission, for a full statement of the transactions therein proposed which are summarized as follows:

(1) The authorized common stock of Railways, now consisting of 1,000,000 shares of the par value of \$35 each, shall be changed into 3,500,000 shares of common stock having a par value of \$7 each; the 708,520 shares of common stock of Railways, now outstanding and held by Power, shall be exchanged for 3,173,838 shares of the new common stock; and the capital of Railways shall be reduced \$2,581,334 by reducing the amount of capital represented by the outstanding common stock from \$24,798,200 to \$22,216,866, the amount of the reduction to be credited to paid-in surplus.

(2) As soon as practicable after the entry of an order by the Commission and by the United States District Court for the District of Delaware, upon application thereto by the Commission, approving the distribution, Power shall deposit with a Depositary and cause it to distribute to the preferred stockholders of Power, five shares of the new common stock of Railways for each share of preferred stock of Power.

(3) The 173,838 shares of common stock of Railways received by Power in the exchange and which are not to be distributed to the preferred stockholders of Power, together with all dividends paid on such stock, shall be held by Power for distribution to its common stockholders in accordance with the plan heretofore approved in these proceedings if it is approved by the United States Supreme Court. If the plan is not so approved, said shares and the dividends received thereon by Power shall be disposed of in such manner as the Commission and the United States District Court for the District of Delaware shall direct by subsequent order.

(4) Neither the failure to object to the entry of the order by the Commission hereby requested, nor the acceptance by Power of the common stock of Railways will constitute an approval or acquiescence by the preferred stockholders of Power in the plan now pending on appeal, nor shall the common stockholders be prejudiced in any way by failing to object to the entry of the order hereby requested.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said Application No. 14A, and that said application shall not be granted except pursuant to further order of this Commission;

It is ordered, That a hearing be held with respect to the said Application No. 14A on August 23, 1944 at 10 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania in such room as the hearing room clerk in

Room 318 will at that time advise. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided by its rules of practice, Rule No. XVII, on or before August 18, 1944.

*It is further ordered*, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's rules of practice.

*It is further ordered*, That without limiting the scope of the issues presented by said application otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed interim distribution is necessary or appropriate to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons to be affected thereby.

(2) Whether the proposed interim distribution and the accompanying transactions are in all respects in the public interest and in the interests of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder.

*It is further ordered*, That notice of said hearing be given to Power, Railways and Otis & Co. by registered mail and to all other persons by publication of this notice and order in the FEDERAL REGISTER and by general release of this Commission distributed to the press and mailed to the mailing list for release issued under the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 44-11749; Filed, August 7, 1944;  
10:13 a. m.]

[File Nos. 54-67, 59-64]

PEOPLES LIGHT AND POWER CO., ET AL.

NOTICE OF FILING AND ORDER RECONVENING  
HEARING

In the matters of Peoples Light and Power Company, and Subsidiary Companies, File No. 54-67; Peoples Light and Power Company, California Public Service Company, Texas Public Service Farm Company, Texas Public Service Company, and West Coast Power Company, File No. 59-64.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 7th day of August 1944.

The Commission having, on March 9, 1943 (Holding Company Act Release No. 4159), instituted proceedings under sections 11 (b) (1) and 11 (b) (2) of the Public Utility Holding Company Act of 1935 involving Peoples Light and Power Company ("Peoples"), a registered holding company and its subsidiaries; and

said proceedings having been consolidated for the purpose of hearing with an application heretofore filed by Peoples pursuant to section 11 (e) of said act for approval of a Plan for compliance with sections 11 (b) (1) and 11 (b) (2) of said act; hearings having been held in respect of such consolidated proceedings and having been adjourned subject to call of the trial examiner;

Notice is hereby given that declarations and applications have been filed with this Commission pursuant to the Act by Peoples and its wholly-owned subsidiary, namely, West Coast Power Company ("West Coast"), designated as Amendments Nos. 28 and 29 to the aforementioned application for approval of a Plan. All interested persons are referred to said documents which are on file in the office of the Commission for a full statement of the transactions therein proposed, which may be summarized as follows:

1. West Coast proposes to sell to Idaho Power Company all of West Coast's electric property in the State of Idaho, including materials and supplies, merchandise held for sale and accounts receivable, but exclusive of cash, for a cash consideration of \$635,000 subject to closing adjustments.

2. West Coast proposes to sell to the City of Halley, Idaho, all of West Coast's water property and assets in the City of Halley, Idaho, including materials and supplies and accounts receivable, but exclusive of cash, for the sum of \$65,000 subject to closing adjustments.

3. West Coast proposes to redeem \$386,000 principal amount of its outstanding first mortgage bonds with a portion of the proceeds received from the sale of its Idaho electric properties, and amend the provisions of its Indenture of Mortgage to Provident Trust Company of Philadelphia and Carl W. Fenninger, as Trustees, dated June 1, 1940, by a supplemental indenture so as to (a) permit the payment of dividends and/or the making of a distribution in partial liquidation to Peoples aggregating approximately \$540,000; (b) provide for the release of the Idaho assets from the lien of the West Coast Mortgage; and (c) effect certain other modifications necessitated by the proposed transactions.

4. In connection with the proposed distribution in partial liquidation, West Coast will effect a reduction in its capital and stated value of its 11,500 shares of no par capital stock, pursuant to the laws of Delaware, consistent with the amount of such distribution.

The owner of all the presently issued and outstanding West Coast Bonds has agreed to retail \$200,000 principal amount of West Coast Bonds and to the proposed modifications of the West Coast Mortgage.

5. Peoples proposes to sell to A. E. Fimmel all of the issued and outstanding shares of no par value Capital Stock (11,500 shares) of West Coast for a cash consideration of \$115,000 subject to the terms and provisions of the Agreement between Peoples and Fimmel, dated July 14, 1944. The sale of the West Coast stock is conditioned expressly, among other things, on the consummation of the sales of the Idaho assets and the receipt by Peoples from West Coast of dividends and/or a distribution in partial liquidation aggregating not less than \$500,000.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held in respect of the amendments hereinabove de-

scribed and that the declarations with respect thereto shall not become effective nor said applications be granted except pursuant to further order of the Commission; and

It further appearing to the Commission that the hearing in respect of File Nos. 54-67 and 59-64, heretofore adjourned subject to the call of the trial examiner, should be reconvened;

*It is ordered*, That a hearing under the applicable provisions of the act and the rules of the Commission thereunder be reconvened on the 24th day of August, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided by the rules of practice, Rule XVII, on or before August 21, 1944.

*It is further ordered*, That Robert P. Reeder or any other officer or officers designated by the Commission to preside at such hearing, shall exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

*It is further ordered*, That without limiting the scope of issues presented by these proceedings, attention will be directed at the hearing to consideration of the following matters and questions:

(1) Whether the proposed consideration to be received for the West Coast properties, assets and common stock is reasonable and bears a fair relation to the sums invested in, or the earning capacity of, the assets to be sold.

(2) Whether the proposed redemption of \$386,000 of First Mortgage Bonds by West Coast and the modification of the West Coast Indenture of Mortgage complies with the applicable sections of the Act or the rules thereunder.

(3) Whether the proposed dividend out of earned surplus and the distribution in partial liquidation aggregating approximately \$540,000 by West Coast to Peoples is in compliance with the applicable sections of the act and the rules thereunder.

(4) Whether the proposed reduction in the stated value of the common stock of West Coast meets the applicable standards of the act.

(5) What, if any, terms and conditions with respect to the proposed transaction should be prescribed in the public interest or for the protection of investors or consumers.

*It is further ordered*, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this order by registered mail to the applicants and declarants and to the Public Utility Commission of Idaho, and that notice shall be given to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935; and that further notice be given to all per-

sons by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL]

ORVAL DuBOIS,  
Secretary.

[F. R. Doc. 44-11848; Filed, August 8, 1944;  
11:01 a. m.]

[File Nos. 54-42, 54-69, 59-65, 70-927, 70-928]

CENTRAL STATES UTILITIES CORP., ET AL.

NOTICE OF FILING AND ORDER RECONVENING  
HEARING AND DIRECTING CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 4th day of August, A. D. 1944.

In the matters of Central States Utilities Corporation, Central States Power & Light Corporation, Missouri Electric Power Company, Ogden Corporation, File No. 54-42; Ogden Corporation and Subsidiary Companies, File No. 54-69; Ogden Corporation and Subsidiary Companies, File No. 59-65; Interstate Power Company, File No. 70-927; and Interstate Power Company, File No. 70-928.

Ogden Corporation ("Ogden"), a registered holding company, together with its subsidiary holding company, Central States Utilities Corporation ("Central Utilities"), and the latter's subsidiary, Central States Power & Light Corporation ("Central States"), having heretofore filed an application and amendments thereto, pursuant to section 11 (e) and other applicable sections of the Public Utility Holding Company Act of 1935 and the General Rules and Regulations promulgated thereunder, relating to a plan of liquidation of Central Utilities and Central States (File No. 54-42);

The Commission having entered an order dated May 20, 1943 approving a plan filed by Ogden and subsidiaries pursuant to section 11 (e) of the act designed to enable that company and certain of its subsidiary companies to comply with the provisions of section 11 (b) of the act, said plan providing for, among other things, the liquidation and dissolution of Central Utilities and Central States, and having directed, pursuant to section 11 (b), that the said companies take certain action to comply with the provisions of section 11 (b) (File Nos. 54-69 and 59-65); and

The proceedings in respect to the Plan filed by Central Utilities, Central States, and Ogden, pursuant to section 11 (e) of the act (File No. 54-42), and proceedings in respect of the Plan filed by Ogden and subsidiary companies pursuant to section 11 (e) of the act (File No. 54-69), and the proceedings instituted by the Commission directed to Ogden and subsidiary companies, respondents, pursuant to sections 11 (b) (1), 11 (b) (2), 15 (f) and 20 (a) of the act (File No. 59-65), having heretofore been consolidated, and hearings having been held in respect of such consolidated proceedings and having been continued subject to call of the trial examiner;

Notice is hereby given that an amendment to the aforesaid amended application (File No. 54-42) has been filed by

Central Utilities, Central States, and Ogden pursuant to the applicable sections of the act and the rules promulgated thereunder.

Notice is further given that an application and declarations have been filed by Interstate Power Company ("Interstate"), a holding-operating subsidiary company of Ogden, pursuant to the applicable sections of the act and the rules promulgated thereunder.

All interested persons are referred to the said amendment (File No. 54-42) and the said application (File No. 70-927) and declarations (File No. 70-928) which are on file in the office of the Commission for a full statement of the transactions proposed therein, which may be summarized as follows:

1. Central States proposes to sell and Interstate proposes to buy the remaining physical properties, and other assets pertinent thereto, of Central States, known as its "Iowa-Minnesota properties", for a base price of \$2,750,000 in cash, subject to certain adjustments to the date of sale. The properties involved consist primarily of electric generation, transmission, and distribution systems operated in northern Iowa and southern Minnesota.

2. Central States proposes to apply a portion of the proceeds of the aforesaid sale to discharge all of its then outstanding First Mortgage and First Lien Gold Bonds, 5½% Series, due 1953, (\$919,770 unpaid principal amount outstanding as of July 1, 1944), by the payment to the holders thereof of an amount equal to the unpaid principal amount of such bonds and accrued interest thereon up to the date of such payment, but without the payment to such holders of any redemption premium in respect of such bonds. The balance of the proceeds of said sale remaining after the payment and discharge of all the outstanding 5½% Bonds as aforesaid, together with any additional assets of Central States, will be distributed to the holders of the securities junior to said 5½% Bonds in accordance with an amendment to the plan of Central States to be hereafter filed with this Commission.

3. Central States requests the Commission to approve the transactions proposed in said amendment to its plan (File No. 54-42) as a separate proposal or plan under section 11 (e) of the act, and then to apply to the United States District Court for the District of Delaware (which has previously approved other aspects of Central States' plan) pursuant to section 18 (f) of the act, to enforce and carry out the terms and provisions of such separate proposal or plan.

4. Interstate proposes to sell, and Otter Tail Power Company, a non-affiliated public utility company proposes to buy, Interstate's electric and water properties and other assets pertinent thereto, known as Interstate's "Bemidji-Crookston Districts", for a base price of \$3,000,000 in cash, subject to certain adjustments to the date of sale. The properties involved are operated in the counties of Cass, Beltrami, Clearwater, Clay, Norman, Polk, Red Lake, Marshall, Kittson, and Roseau, in the State of Minnesota. Interstate proposes to utilize approximately \$2,750,000 of the proceeds

of said sale to purchase Central States' "Iowa-Minnesota properties".

5. The obligations of Central States and Interstate under the contract of sale, referred to in paragraph 1 above, are conditioned upon, among other things, the following:

(a) The execution by The Chase National Bank of the City of New York as Trustee under the Trust Indenture securing Central Utilities' Ten-Year 6% Secured Gold Bonds of its consent in writing as a holder of all the common stock of Central States (pledged under said indenture), or the voting of such stock in such manner as shall authorize and enable Central States to carry out the provisions of the contract;

(b) The consummation of the aforesaid sale by Interstate of its "Bemidji-Crookston Districts" to Otter Tail Power Company, referred to in paragraph 4 above, and receipt of the cash consideration therefor, on or before the closing date specified in the said contract of sale between Central States and Interstate.

6. The obligations of Interstate and Otter Tail Power Company under the contract of sale, referred to in paragraph 4 above, are conditioned upon, among other things, the obtaining by Otter Tail Power Company of all necessary approvals of the North Dakota Public Service Commission and of the Federal Power Commission.

The filings designate sections 11 (b), 11 (e), 12 (d), 12 (f), 12 (c), 9 (a) (1) and 10 as applicable to the proposed transactions.

It appearing to the Commission that the hearing herein (File Nos. 54-42, 54-69 and 59-65) previously continued should be reconvened for the purpose of taking additional testimony necessitated by the amendment filed by Central Utilities, Central States and Ogden;

It further appearing to the Commission that the proceedings heretofore consolidated in respect of the plan filed pursuant to section 11 (e) of the act by Central Utilities, Central States and Ogden (File No. 54-42), the plan filed pursuant to section 11 (e) of the act by Ogden and subsidiary companies (File No. 54-69), and the proceedings instituted by the Commission directed to Ogden and subsidiary companies, respondents, pursuant to sections 11 (b) (1), 11 (b) (2), 15 (f) and 20 (a) of the act (File No. 59-65), and the proceedings relating to the application and declarations filed by Interstate (File Nos. 70-927 and 70-928) involve common questions of law and fact and should be consolidated;

It is ordered, That such proceedings be and the same hereby are consolidated, the Commission reserving the right to separate, either in whole or in part, or to dispose of in whole or in part, any of the issues or questions which may arise in these proceedings and to take such action as may appear conducive to an orderly, prompt, and economic disposition of the matters involved.

It is further ordered, That a hearing on said matters so consolidated be held on the 17th day of August, 1944, at 10:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th

and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. Any person desiring to be heard in connection with these proceedings, or proposing to intervene herein shall file with the Secretary of the Commission on or before August 14, 1944 his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at the hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act, and to a trial examiner under the Commission's rules of practice.

Notice is hereby given of said consolidated hearing to the above-named applicants and declarants, the Federal Power Commission, the North Dakota Public Service Commission, The Chase National Bank of the City of New York, Indenture Trustee of Central States' First Mortgage and First Lien Gold Bonds, 5½% Series, due 1953, and Indenture Trustee of Central Utilities' Ten-Year 6% Secured Gold Bonds, and the Continental Illinois National Bank and Trust Company of Chicago, Indenture Trustee of Central States' 5% Debentures, and to all interested persons; said notice to be given to said applicants and declarants and to the Federal Power Commission, the North Dakota Public Service Commission, The Chase National Bank of the City of New York, and the Continental Illinois National Bank and Trust Company of Chicago by registered mail, and to all other persons by publication of this notice and order in the FEDERAL REGISTER.

It is further ordered, That Central States shall give additional notice of said hearing to all known holders of its First Mortgage and First Lien Gold Bonds, 5½% Series, due 1953, by causing a copy of this notice and order to be mailed to such holders at their last known addresses, such mailing to be made not less than ten days prior to the date of said hearing.

It is further ordered, That without limiting the scope of the issues presented by said amendment of Central States and said application and declarations of Interstate and otherwise to be considered in these proceedings, particular attention shall be directed at the hearing to the following matters and questions:

1. Whether the considerations involved in the said sales are reasonable and bear a fair relation to the sums invested in or the earning capacities of such assets;

2. Whether the proposed acquisition by Interstate of Central States' "Iowa-Minnesota properties" will tend toward the economical and efficient development of an integrated public utility system and whether such acquisition will tend toward interlocking relations or concentration of control of public utility companies of a kind or to an extent detrimental to the public interest or to the interest of investors and consumers;

3. Whether competitive conditions were maintained in respect of each of the aforesaid sales;

4. Whether the proposed sale by Central States of its "Iowa-Minnesota properties" is necessary to effectuate the provisions of Section 11 (b) of the act and is fair and equitable to the persons affected thereby;

5. Whether the proposed use by Central States of a portion of the proceeds of its aforesaid contemplated sale to discharge its said 5½% Bonds without the payment to holders thereof of any redemption premium is fair and equitable to the persons affected thereby;

6. Whether the fees and expenses to be paid in connection with the proposed transactions are reasonable and appropriate;

7. Whether the accounting adjustments and entries proposed to be made in connection with the proposed transactions are proper and are in accordance with sound accounting practices;

8. Whether, if the proposed transactions, or any of them, are authorized, it is necessary or appropriate that terms and conditions be imposed in the public interest or for the protection of investors and consumers in connection with such authorization;

9. Generally, whether in any respect such transactions are detrimental to the public interest or to the interest of investors or consumers or will tend to circumvent any provisions of the act or of any rules or regulations promulgated thereunder.

By the Commission.

[SEAL]

ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 44-11847; Filed, August 8, 1944;  
11:01 a. m.]

[File No. 70-736]

FEDERAL WATER AND GAS CORP. AND ALABAMA WATER SERVICE CO.

#### NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 5th day of August, A. D., 1944.

Notice is hereby given that Amendment No. 2 to applications and declarations previously filed has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Federal Water and Gas Corporation ("Federal"), a registered holding company, and by its subsidiary, Alabama Water Service Company ("Alabama"). All interested persons are referred to said amendment to said applications and declarations, which is on file at the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

(1) Federal will borrow \$750,000 and will issue a one-day unsecured note therefor.

(2) Federal will contribute \$1,350,000 to the paid-in surplus of Alabama.

(3) Alabama, with the consent of its sole three bondholders, will secure the release of its electric properties from the lien of its mortgage by depositing with the Trustee sufficient funds to retire \$1,008,000 principal amount of its bonds at a call price of 103.9% of par. In order to accomplish this, Alabama, with the consent of its three bondholders, proposes to execute and deliver a Supplemental Indenture which will provide (a) for the release of the electric properties upon the retirement of the bonds as stated above, (b) that upon the sale of its largest remaining water property (located at Bessemer) all of the remaining bonds will be retired, and (c) that the present annual sinking fund of \$21,000 will be maintained over the life of the bonds instead of being increased as is contemplated by the original indenture.

(4) Alabama will retire 6,793 shares of its \$6 preferred stock (being all of said stock now in the hands of the public) at the call price of \$105 per share, such retirement of stock requiring an expenditure of \$713,265 by Alabama. The 3,643 shares of \$6 preferred stock held by Federal are to remain outstanding.

(5) Alabama will distribute to Federal (then Alabama's sole stockholder) Alabama's electric utility properties including materials, supplies and accounts receivable pertaining to said properties without the surrender by Federal of any of Alabama's stock owned by Federal.

(6) Federal will sell the said electric properties including materials, supplies and accounts receivable of the Cities of Andalusia, Elba, and Opp and the Alabama Electric Cooperative, Inc. for \$2,500,000 subject to certain adjustments for construction, retirements, depreciation, and current assets between December 1, 1943 and the date of closing; the respective prices to be paid before considering closing adjustments being:

Andalusia	\$302,175
Elba	40,925
Opp	81,900
Cooperative	2,075,000
Total	2,500,000

(7) Federal will use the proceeds from said sale, or an amount equivalent thereto, to retire Federal's debentures within 24 months from the date of said sale. Federal will immediately, upon the consummation of said sale, repay its one day bank loan of \$750,000 and at the next following redemption date will call for redemption \$1,750,000 principal amount of its debentures and will within 24 months from the date of said sale call for redemption an additional \$750,000 principal amount of its debentures.

The proposed transactions are stated to be steps in the consummation of Federal's plan for the divestment by it of its interests in the businesses and properties of Alabama Water Service Company, which plan in this respect was previously approved by the Commission (Holding Company Act Release No. 4113 (1943)).

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to Amendment No. 2 to said dec-

larations and applications and that Amendment No. 2 to said declarations and applications should not become effective or be granted, except pursuant to further order of the Commission;

It is ordered, That a hearing be held upon said matters on the 18th day of August, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. At such hearing cause shall be shown why such Amendment No. 2 may be granted, or become effective.

It is further ordered, That Charles S. Lobingier, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said Amendment No. 2 to said applications and declarations, particular attention will be directed at the said hearing to the following matters and questions:

(1) Whether the proposed transactions are consistent with, and appropriate to carry out, Federal's plan as heretofore approved by the Commission in its order dated February 10, 1943 (Holding Company Act Release No. 4113), and are in conformity with the provisions of the said order requiring the divestment by Federal of its interests in Alabama;

(2) Whether the proposed transactions are necessary to effectuate the provisions of section 11 (b) and fair and equitable to the persons affected thereby;

(3) Whether the terms of the proposed supplemental indenture are detrimental to the interests of investors;

(4) What terms and conditions, if any, are necessary or appropriate in the public interest or the interests of investors or consumers to insure compliance with the requirements of the Public Utility Holding Company Act and the rules and regulations or orders promulgated thereunder.

Notice of such hearing is hereby given to Federal Water and Gas Corporation and Alabama Water Service Company, to the Alabama Public Service Commission, and to any other person whose participation in such proceedings may be in the public interest and for the protection of investors and consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceedings shall file with the Secretary of this Commission, on or before August 15, 1944, his request or an application therefor as provided in Rule XVII of the rules and practice of the Commission.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-11849; Filed, August 8, 1944;  
11:01 a. m.]

## WAR MANPOWER COMMISSION.

[G. O. 10 Revocation]

### LIST OF CRITICAL OCCUPATIONS

By virtue of the authority vested in me as Chairman of the War Manpower Commission by Executive Orders Nos. 9139 (7 F.R. 2919) and 9279 (7 F.R. 10177), War Manpower Commission General Order No. 10, as amended, (8 F.R. 11420, 9 F.R. 6144), List of Critical Occupations, is hereby rescinded, effective August 4, 1944.

PAUL V. McNUTT,  
Chairman.

AUGUST 4, 1944.

[F. R. Doc. 44-11824; Filed, August 7, 1944;  
3:14 p. m.]

### DESIGNATED AREAS IN WISCONSIN

#### MINIMUM WARTIME WORKWEEK

Designation of certain areas in the State of Wisconsin as subject to Executive Order No. 9301 (8 F.R. 1825).

By virtue of the authority vested in me as Regional Manpower Director of Region VI by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours", and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the following areas as subject to the provisions of Executive Order No. 9301:

Dane County, Sauk County, and the Townships of Arlington, Caledonia, Dekorra, Fort Winnebago, Leeds, Lewiston, Lodi, Lowville, Marcellon, Newport, Pacific, West Point and Wycena in Columbia County.

I. The effective date of this designation is August 1, 1944.

II. Not later than the effective date, each employer in the designated areas shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

"Minimum wartime workweek" as used in this order means a workweek of 48 hours, except in cases where a workweek of 48 hours (a) would be impracticable in view of the nature of the operations, (b) would not contribute to the

reduction of labor requirements, or (c) would conflict with any Federal, State or local law or regulation limiting hours of work. In such cases, "minimum wartime workweek" means the greatest number of hours (less than 48) feasible in the light of the nature of the operations, the reduction of labor requirements or the applicable Federal, State and local law or regulation, as the case may be.

Date of issuance: July 3, 1944.

W. H. SPENCER,  
Regional Director.

[F. R. Doc. 44-11835; Filed, August 8, 1944;  
9:41 a. m.]

### NEW ORLEANS, LA., AREA

#### MINIMUM WARTIME WORKWEEK

Designation of the New Orleans, Louisiana, area as subject to Executive Order No. 9301 (8 F.R. 1825).

By virtue of the authority vested in me as Regional Manpower Director of Region No. X by § 903.2 of the War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours", (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the New Orleans, Louisiana Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the New Orleans, Louisiana, area shall include:

Orleans Parish, Wards 1, 2, 3, 4, 7, and 8 of Jefferson Parish and Wards 1, 2, 3, and 4 of St. Bernard Parish.

II. The effective date of this designation is July 20, 1944.

III. Not later than the effective date, each employer in the New Orleans, Louisiana, area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: June 20, 1944.

J. H. BOND,  
Regional Director.

[F. R. Doc. 44-11834; Filed, August 8, 1944;  
9:41 a. m.]